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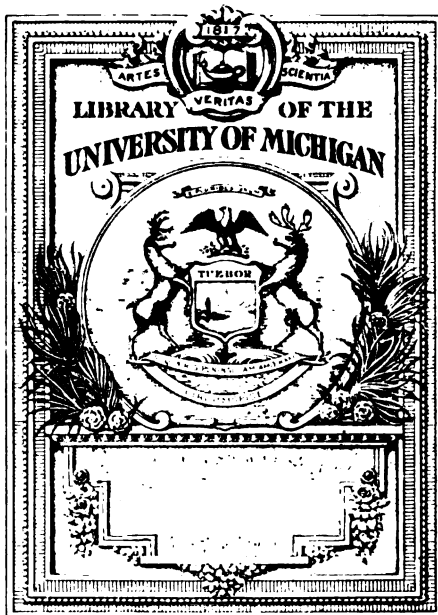
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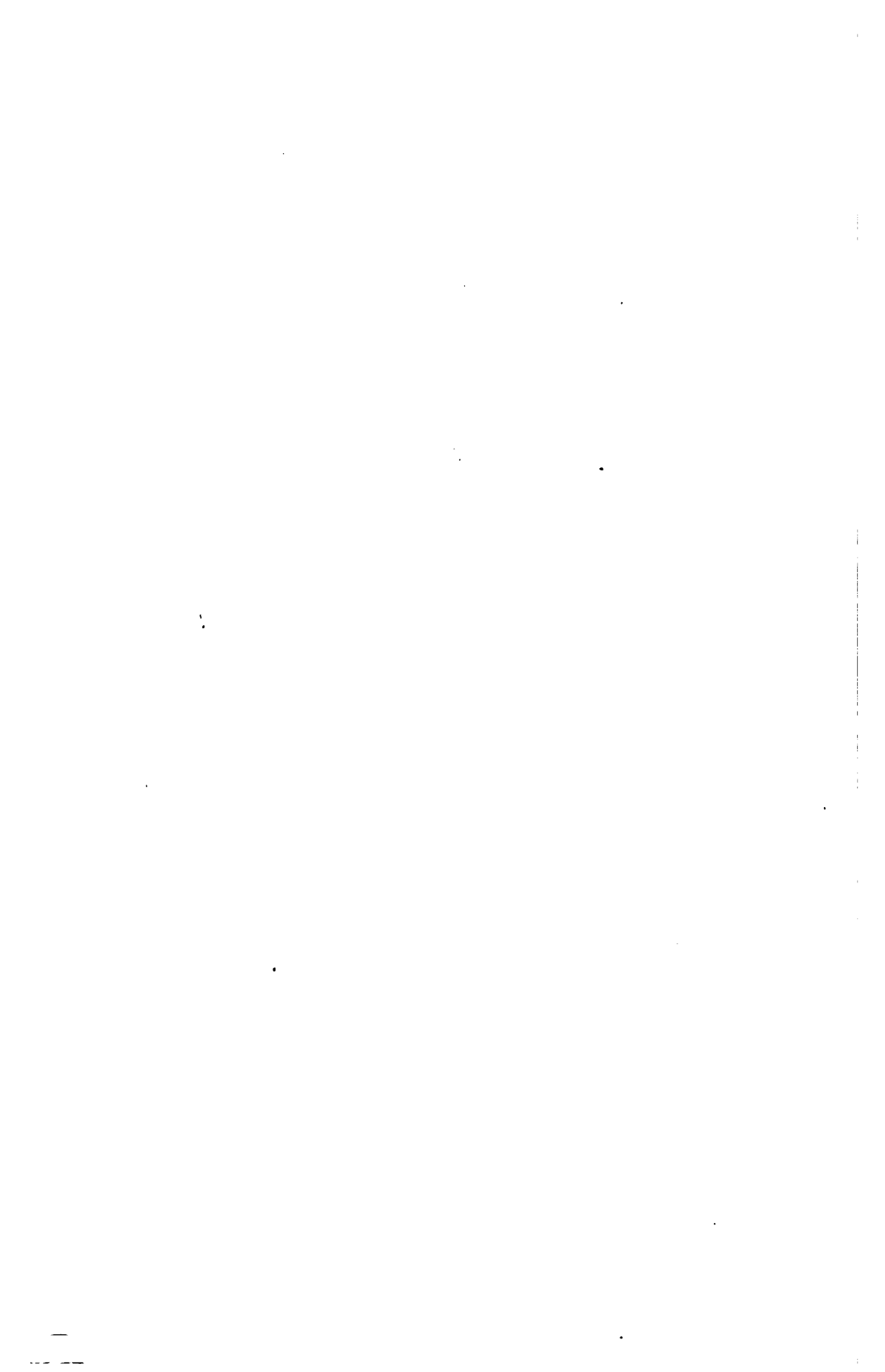


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*Chicago Ordinances &c.*

THE REVISED  
MUNICIPAL CODE OF CHICAGO  
OF 1905

PASSED MARCH 20, 1905

[PUBLISHED BY AUTHORITY OF THE CITY COUNCIL IN PAMPHLET  
FORM APRIL 15, 1905]

PUBLISHED BY AUTHORITY OF THE CITY COUNCIL IN BOOK  
FORM OCTOBER 15, 1905

IN ONE VOLUME

CONTAINING ALL THE GENERAL ORDINANCES OF THE CITY IN FORCE MARCH  
20, A. D. 1905, TOGETHER WITH AN APPENDIX CONTAINING ALL PROHI-  
BITION AND LOCAL OPTION ORDINANCES IN FORCE ON SAID DATE,  
AND THE TRACK ELEVATION ORDINANCE OF FEBRUARY 23,  
1893; ALSO CERTAIN MATERIAL PROVISIONS OF THE  
STATUTES OF THE STATE OF ILLINOIS RELAT-  
ING TO MUNICIPAL GOVERNMENTS.

WITH A SUPPLEMENT CONTAINING ALL GENERAL ORDINANCES PASSED BY  
THE CITY COUNCIL BETWEEN MARCH 20, 1905, AND  
SEPTEMBER 25, 1905.

**Chicago School of Civics  
and Philanthropy.**

REVISED AND CODIFIED BY

**EDGAR BRONSON TOLMAN**  
CORPORATION COUNSEL

ASSISTED BY

**WILLIAM H. ARTHUR and ROSWELL B. MASON**  
OF THE CHICAGO BAR

CHICAGO

THE LAWYERS' CO-OPERATIVE PUBLISHING COMPANY  
ROCHESTER N. Y.

1905

*Wm H. Arthur*  
*Roswell B. Mason*

No. 72

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MAYOR'S OFFICE,  
CHICAGO, March 6, 1905.

*To the Honorable, the City Council of the City of Chicago:*

GENTLEMEN—In accordance with your order of November 30, 1903, the Corporation Counsel has had prepared and has submitted to you this evening proof sheets of the new Municipal Code.

0 6-15-30  
The necessity for a complete revision of the 1897 Code was called to your attention in a communication from me dated November 30, 1903. Former Corporation Counsel Walker had prepared and submitted to your Honorable Body June 15, 1903, a compilation of the ordinances, embracing the 1897 Code and all amendments passed subsequent to the adoption thereof up to and including June 1, 1903. It was originally intended to publish a compilation of the municipal ordinances rather than a revision. When the work of compilation was completed, however, it became evident that a thorough revision of the existing Code was absolutely necessary, not only in order to eliminate obsolete and archaic provisions which had been held to be illegal and of no effect by the courts, but also to add entirely new provisions covering subjects entirely omitted from the existing Code. Your Honorable Body adopted my suggestion and instructed the Corporation Counsel to prepare such a revision as was necessary. The preliminary work of the compilation already done served as a valuable and indeed indispensable basis for the work of revision which is now completed. The labor involved has been enormous and has been performed in a most careful and painstaking manner under the personal direction and supervision of the present Corporation Counsel. The lawyers in charge of the work have been assisted throughout by members of the City Council, by the various heads of departments and their assistants, and by experts not connected with the municipality. This is the first complete revision of the city ordinances for more than twenty years, the various revised codes or collections of municipal ordinances issued mean- while being nothing more than compilations. The work just completed, therefore, gives to the city for the first time in a generation a first-class, practical, up-to-date Revised Code of Municipal Ordinances. This work, having been completed under the present Council, should be enacted and put into effect before the approaching municipal election. As the time is short, I respectfully suggest that the whole subject-matter be referred to the Committee on Judiciary with instructions to report the new Code for passage as soon as possible. Most of the members of the present Committee on Judiciary have been in touch with this work since its inception, and therefore will be no doubt able to report on the Code in time to permit its passage before the first of April.

Respectfully,

CARTER H. HARRISON,  
*Mayor.*

Which was referred to the Committee on Judiciary.  
(See pp. 2655-56, Council Proceedings, March 6, 1905.)

Alderman Werno presented the report of the Committee on Judiciary on an ordinance for revising and codifying the general ordinances of the City of Chicago, deferred and published March 13, 1905, page 2905.

Alderman Werno moved to concur in the report and pass the ordinance.

The motion prevailed, and the ordinance was passed by yeas and nays as follows:

*Yeas*—Kenna, Coughlin, Alling, Dixon, Foreman, Pringle, Dailey, Richert, McCormick (5th ward), Young, Bennett, Snow, Fick, Sindelar, Uhler, Scully, Harkin, Maypole, Beilfuss, Jozwiakowski, Kunz, Sitts, Dever, Conlon, Moran, Ryan, Finn, Palmer, McCormick (21st ward), Sullivan, Dougherty, Werno, Schmidt (23d ward), Ehemann, Schmidt (24th ward), Dunn, Williston, Blake, Reinberg, Leachman, Butler, Bradley, Eidmann, Badenoch, Johnson, Bihl, Woodward, Ruxton, Race, Hunter—50.

*Nays*—None.

(See p. 3172, Council Proceedings, March 20, 1905.)



Alderman Werno presented the report of the Committee on Judiciary on an ordinance concerning the printing and publishing of the Revised Municipal Code of Chicago of 1905, deferred and published March 13, 1905, page 2905.

Alderman Werno moved to concur in the report and pass the ordinance.

The motion prevailed, and the ordinance was passed by yeas and nays as follows:

**Yeas**—Kenna, Coughlin, Alling, Dixon, Foreman, Pringle, Dailey, Richert, McCormick (5th ward), Young, Bennett, Snow, Fick, Sindelar, Uhlir, Scully, Harkin, Maypole, Beilfuss, Jozwiakowski, Kunz, Sitts, Dever, Conlon, Moran, Ryan, Finn, Palmer, McCormick (21st ward), Sullivan, Dougherty, Werno, Schmidt (23d ward), Ehemann, Schmidt (24th ward), Dunn, Williston, Blake, Reinberg, Leachman, Butler, Bradley, Eidmann, Badenoch, Johnson, Bihl, Woodward, Ruxton, Race, Hunter—50.

**Nays**—None.

The following is the ordinance as passed:

*Be it ordained by the City Council of the City of Chicago:*

Section 1. That the ordinances governing the City of Chicago, as revised and codified in chapters, articles and sections, by Edgar Bronson Tolman, Corporation Counsel, be, and the same are hereby, adopted and ordered printed and published by authority of the City Council of the City of Chicago, in book form, with appropriate index and appendix thereto. Said ordinances when printed and published in book form shall be entitled and known as "The Revised Municipal Code of Chicago, of 1905," and shall include all the general ordinances of the city in force at the time of the passage of this ordinance.

Section 2. This ordinance shall take effect and be in force from and after its passage.

(See p. 3172, Council Proceedings, March 20, 1905.)

**AUTHORIZED EDITIONS AND PUBLICATIONS OF THE ORDINANCES  
OF THE CITY OF CHICAGO.**

**MUNICIPAL LAWS, CHICAGO, 1856.**

Passed by the Common Council, September 15, 1856. Compiled, revised and codified by George W. and John A. Thompson.

**LAWS AND ORDINANCES, CHICAGO, 1866.**

Passed by the Common Council, January 1, 1866. Compiled and arranged by Joseph E. Gary.

**LAWS AND ORDINANCES, CHICAGO, 1873.**

Passed by the Common Council, July 21, 1873. Compiled and arranged by Murray F. Tuley.

**THE MUNICIPAL CODE OF CHICAGO, 1881.**

Passed by the City Council, April 18, 1881. Codified and revised by Egbert Jamieson and Francis Adams.

**SUPPLEMENT TO THE MUNICIPAL CODE, 1881.**

Published August 13, 1883. Compiled and arranged by Clarence A. Knight.

**SUPPLEMENT TO THE MUNICIPAL CODE, 1881.**

Published January 10, 1887. Compiled and arranged by Clarence A. Knight.

**THE REVISED CODE OF CHICAGO, 1897.**

Passed by the City Council, April 8, 1897. Revised and codified by William G. Beale, Corporation Counsel, Daniel F. Flannery and Byron Boyden.

**THE REVISED MUNICIPAL CODE OF CHICAGO OF 1905.**

Passed by the City Council, March 20, 1905. Revised and codified by Edgar Bronson Tolman, Corporation Counsel, assisted by William H. Arthur and Roswell B. Mason.

**THE REVISED  
MUNICIPAL CODE OF CHICAGO  
OF 1905**



# THE REVISED MUNICIPAL CODE OF CHICAGO OF 1905

PASSED MARCH 20, 1905

[PUBLISHED BY AUTHORITY OF THE CITY COUNCIL OF THE CITY OF CHICAGO  
APRIL 15, 1905]

## AN ORDINANCE FOR REVISING AND CODIFYING THE GENERAL ORDINANCES OF THE CITY OF CHICAGO

WHEREAS, It is necessary that the general ordinances of the city of Chicago should be revised, codified and arranged in appropriate chapters, articles and sections; that omissions should be supplied and defects corrected, and that the whole should be rendered plain, concise and intelligible; therefore,

Be it ordained by the city council of the city of Chicago:

### CHAPTER I.

#### THE MAYOR.

1. **Officers—appointment of.]** The mayor shall appoint, by and with the advice and consent of the city council, all officers whose appointment is not by the laws of this state otherwise provided for; and whenever a vacancy shall occur in any office which by law he is empowered to fill, he shall within thirty days after the occurrence of such vacancy communicate to the city council the name of his appointee to such office.

2. **Supervision of officers.]** The mayor shall supervise the conduct of all the officers of the city who are exempt from the provisions of the civil service act, and shall examine the grounds of all reasonable complaints made against any of them, and cause their violations of duty and other offenses, if any, to be promptly punished.

3. **Signature.]** The mayor shall sign all licenses and permits granted by the authority of the city council, except as otherwise provided by law or ordinance.

4. **Release of prisoners.]** The mayor shall have the power and authority to release and discharge, at his discretion, any person imprisoned for the violation of any city ordinance. In each and every

case in which such release shall be so made by the mayor he shall cause a proper record thereof to be made and notice thereof to be sent to the city council, accompanying such notice with a statement setting out his reasons for such release.

**5. Tax certificates—sale of.]** The mayor and city comptroller are hereby authorized to sell and transfer any and all interest in and to all lots and parcels of land which the city has obtained by or on account of sale or forfeiture, by reason of the nonpayment of taxes or assessments, for the principal sum due together with interest and the penalties prescribed by law; Provided, in any case where the city has obtained title by tax deed to any lot or parcel of land such lot or parcel of land shall be sold or transferred only in accordance with the provisions of the statutes of the State of Illinois governing the sale of real estate by cities.

**6. Flags and decorations.]** The mayor shall have power and authority to display flags or other decorations on, in, or about the city hall or other public buildings belonging to the city, on such occasions as he may deem proper.

On or before the tenth day of June annually the mayor shall issue a proclamation requesting the observance of the anniversary of the adoption of the flag of the United States by a general display of our national emblem on the fourteenth day of June, and requesting the observance of such anniversary in such other manner as may be deemed appropriate.

**7. Private secretary—duties.]** The mayor may appoint a private secretary, whose duty it shall be to preserve and keep in the mayor's office all books and papers which are usually filed, or are required by law to be filed, therein; to deliver to the city council and to the respective departments of the city all messages from the mayor in writing; to attend in the mayor's office during the usual office hours, and to perform such other duties as he may be required by the mayor.

(Note: See Supplement.)

## **CHAPTER II.**

### **CITY COUNCIL.**

**8. Aldermen—compensation.]** The compensation to be paid aldermen for their services is hereby fixed at the sum of fifteen hundred dollars per annum for each alderman; and no other compensation shall be allowed or paid by the city to any alderman for any services whatsoever.

**9. Bonds—approval of corporation counsel and comptroller.]** No bond of indemnity running to the city, and required to be approved by the city council, shall be so approved until the corporation counsel shall have certified thereon that such bond is sufficient as to form, and the comptroller shall have certified thereon that the sureties on such bond are of sufficient financial responsibility for the amount of the penalty of such bond.



## CHAPTER III.

### CITY CLERK.

**10. Duties.]** The city clerk shall, in addition to the duties now imposed upon him by law, perform the following duties:

He shall issue notices to the members of the city council when directed so to do by that body, also to the members of the different committees and to all persons whose attendance is required before any committee, when directed or requested so to do by the chairman of such committee. He shall also issue notices of special meetings of the city council.

He shall attest all licenses granted under the ordinances of the city and he shall keep a record of the issuance thereof.

He shall without delay deliver to the officers of the city, and to all committees of the city council, all resolutions and communications referred to such officers or committees by that body.

He shall without delay deliver to the mayor all ordinances or resolutions in his charge which may require to be approved or otherwise acted upon by the mayor, together with all papers on which the same are founded.

**11. Filing of ordinances—acceptances—bonds.]** The originals of all ordinances passed by the city council shall be filed in the clerk's office. It shall be the duty of the clerk to report to the council (such report to be made a part of the official record) all acceptances of ordinances and bonds connected therewith, which have been filed in his office since the preceding meeting.

**12. Free plates, badges, etc.]** In all cases where any ordinance of the city requires a license to be obtained for the purpose of engaging in or carrying on any business or occupation, and such ordinance requires the licensee to obtain from the city clerk metal plates or badges, it shall be the duty of the city clerk to deliver such plates or badges, or either of them, free of charge to the person paying the license fee, and such fee shall be considered as covering the cost of the issuance of the license together with the plates or badges.

## CHAPTER IV.

### FINANCE.

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#### ARTICLE I.

##### CITY COMPTROLLER.

**13. Department of finance—established.]** There is hereby established an executive department of the municipal government of the city, which shall be known as the department of finance, and which shall have control of the fiscal concerns of the city.

**14. How composed—comptroller head of.]** Said department of finance shall embrace the city comptroller, the city treasurer, and the city collector, and all such clerks and assistants as the city council may, by ordinance, provide. The comptroller shall be the head of said department, and have the management and control of all matters and things pertaining thereto.

**15. Fiscal year—municipal year.]** The fiscal year of the city shall commence on the first day of January in each year.

The municipal year of the city shall commence on the first day of May in each year.

**16. Comptroller—office created—appointment.]** There is hereby created the office of city comptroller. He shall be appointed by the mayor by and with the advice and consent of the city council.

**17. Bond.]** Said comptroller, before entering upon the duties of his office, shall execute a bond to the city, in the sum of one hundred thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**18. Clerks—appointment of.]** Said comptroller shall appoint according to law such assistants, clerks and subordinates in his office as the city council may authorize, and he may remove any such appointees according to law. He shall be held responsible for the fidelity of any persons appointed by him who shall have the custody of public money, and he may remove any such person in his discretion for any reason he may deem proper.

**19. Bonds of clerks.]** Said comptroller shall require good and sufficient bonds to be given by all assistants, clerks and employes in his office who shall receive or have the care, custody or handling of

any moneys or other valuable things belonging to the city; which said bonds shall run to the comptroller and be approved by him.

**20. Duties of subordinates.]** All subordinate officers, assistants, clerks and employes who shall be employed in the office of said comptroller, shall be subject to such rules and regulations, and shall perform such duties as shall be prescribed or required of them by said comptroller, or the ordinances of the city.

**21. Comptroller's powers.]** Said comptroller shall be charged with and shall exercise a general supervision over all the officers of the city charged in any manner with the receipt, collection or disbursement of the city revenues, and the collection and return of such revenues into the city treasury. He shall be the fiscal agent of said city and, as such, shall have charge of all deeds, mortgages, contracts, judgments, notes, bonds, debts and choses in action belonging to said city, except such as are directed by law or ordinance to be deposited elsewhere; and shall possess and carefully preserve all leases of the property of said city.

He shall have supervision over the contracts, bonds, obligations, loans and liabilities of the city, the payment of interest, and over all the property of the city, and the sale or the disposition thereof; and he shall generally, in subordination to the mayor and city council, exercise supervision over all such interests of said city as, in any manner, may concern or relate to the city finances, revenues and property. (Note: See Supplement.)

**22. Audit and settle claims.]** He shall revise and audit and may settle, compromise and adjust all accounts in which the city is concerned, either as debtor or creditor.

**23. Verification of claims.]** He shall have power, in making such settlements and adjustments, and for the purpose of ascertaining the true state of any balance or balances so due, to require any claimant or claimants to deposit and file with him a statement in writing under oath as to any fact, matter or thing concerning the correctness of any account, claim or demand presented.

**24. Record—house of correction.]** It shall be the duty of the comptroller to keep a record of the names of all persons committed to the house of correction, in a book or books to be provided for that purpose, showing the date of committal, days of imprisonment, amount of fine, etc.

**25. Leasing of realty—appraisers.]** Said comptroller is authorized to execute any and all leases of real property to which the city may be a party, either as lessor or as lessee, whenever he shall find it necessary to secure private property for the use of the city, or whenever it is deemed advisable that the property of the city should be leased; Provided, that no lease to run for more than two years shall be executed without the special approval of the city council.

When provision for appraisers shall be made by a lease to which the city is a party, or in which it is interested, appraisers on behalf of the city shall be appointed by the mayor or comptroller, to determine the rent on renewal of the lease, or the value of buildings to be paid for on the expiration thereof.

**26. Surety on bond—insolvent—comptroller to notify principal.]** In any case where a bond is required to be given by any person or corporation to the city to insure the performance or carrying on of any contract entered into with the city, or the observance and performance of any ordinance or ordinances of the city, or of any other obligation, promise, or undertaking other than the bond required by statute to be given by city officers, and any such bond is required by ordinance to be filed with the city clerk or the city comptroller, or kept on file with either the city clerk or the city comptroller, it shall be the duty of the city comptroller, if at any time it comes to his knowledge that any or all of the sureties on any such bond are insolvent or will be unable to respond in damages in case any liability shall arise upon any such bond, forthwith to notify the principal or principals upon such bond of such fact, and direct that different and satisfactory sureties be at once procured. And it shall be the duty of the comptroller to make from time to time such examination as is necessary to keep informed as to the responsibility and satisfactoriness of any and all sureties upon any such bond or bonds filed either with him or with the city clerk, or kept on file in his office or the office of the city clerk.

In the event of a refusal or neglect on the part of any principal or principals so notified by the comptroller to procure a satisfactory surety, or satisfactory sureties when directed so to do as herein provided, the comptroller shall forthwith report to the city council, setting forth in such report the name of the principal and sureties upon the bond and the nature of the contract, undertaking or obligation which such bond was given to secure, with such recommendations and further information as he may deem necessary and proper.

**27. Records.]** Said comptroller shall keep, in a clear, methodical manner, a complete set of books, wherein shall be stated, among other things, the appropriations of the year for each distinct object and branch of expenditure, and also the receipts from each and every source of revenue, so far as he can ascertain the same. Such books, and all papers, vouchers, contracts, bonds, receipts and other things kept in his office, shall be subject to the examination of the mayor, the members of the city council, or any committee thereof.

**28. Officers to make statements to.]** He shall require all officers charged in any manner with the receipt, collection or disbursement of the city revenues, or having authority to incur expenses on account of the city, or charges of any character whatsoever against the city

revenues, to make monthly statements in writing, under oath, showing in detail all such revenue, expense, or charges, and file the same in the office of said comptroller.

**29. Power to enforce statements.]** It shall be the duty of the comptroller, whenever any officer shall refuse or neglect to make such statement, or to adjust his accounts, whenever required so to do by the comptroller, or to pay over to the proper officer any moneys in his possession belonging to the city, to cause a notice in writing to be served upon such officer and his sureties, demanding a settlement of his accounts forthwith, and in case of the refusal or neglect of such officer, for a period of five days after the service of such notice, to make such settlement and pay over such moneys, said comptroller shall report such officer to the mayor, who shall immediately remove him or cause him to be removed from office; and proceedings for the recovery of any moneys due the city shall be at once instituted against such officer and his sureties.

**30. Annual statements—contents.]** The comptroller shall make out an annual statement, on or before the 1st day of April, in each year, giving a full and detailed statement of all receipts and expenditures during the preceding fiscal year. Such statement shall also detail the liabilities and resources of the city, and all other things necessary to exhibit its true financial condition; and such statement, when examined and approved by the finance committee, shall be published by him.

**31. Annual estimates—contents.]** He shall also, on or before the first Monday of February in each year, before the annual appropriations are made by the city council, submit to the council a report of the estimates of the funds necessary to defray the expenses of the city government during the current fiscal year; he shall in such report class the different objects and branches of the city expenditure, giving, as nearly as may be, the amount required for each; and for this purpose he is authorized to require of all city officers and heads of departments their statements of the condition and expense of their respective departments and offices, with any proposed improvement and the probable expense thereof; of contracts already made and unfinished, and the amount of any unexpended appropriations of the preceding year. He shall, also, in such report, show the aggregate income of the preceding fiscal year from all sources; the amount of liabilities outstanding upon which interest is to be paid, and of bonds and city debts payable during the year, when due and where payable, so that the city council may fully understand the money exigencies and demands of the city for the current year.

**32. Monthly statement.]** In addition to the other duties of the comptroller, it is hereby made his duty, on or before the 20th day of each and every month, to make a monthly statement, showing (a)

the financial condition of the city at the end of the preceding month as compared with the same month of the previous fiscal year; (b) the revenue and expenses for the preceding month, compared with the same month of the previous year, and for the fiscal year to the end of said preceding month compared with the same period for the previous year; and (c) the expenditures made under the appropriations by the city council, the balance of the appropriations remaining unexpended, and the percentages of the appropriations expended. Such monthly statement shall be delivered to the city council at its next regular meeting.

**33. Warrants—investigation of—departments to assist.]** Upon the presentation of any voucher or vouchers for payment, the city comptroller, in his discretion, before issuing a warrant therefor, is hereby authorized to cause to be made an inspection and examination of the article supplied and work and labor performed, whether by written contract or otherwise; also of any items appearing in any such voucher, for the purpose of ascertaining that such items, or any of them, are correct and the price and quality of the labor or service performed and the price, quality and amount of goods, wares and merchandise represented by such voucher, are fair and just, and in accordance with the terms of the written contract, if any there be, and that all requirements, and obligations, expressed or implied pertaining thereto, have been complied with.

For any such examination and inspection, departments, bureaus, boards and persons having supervision of work and labor or the purchasing of supplies or material to be paid for by the city, are hereby directed to render such assistance to the comptroller as may be necessary to determine the price, quality and character of the work and labor performed, material supplied, or the faithful performance of contracts.

**34. Comptroller to report irregularities.]** In the report of the comptroller to the city council so required to be made, shall be embraced a summary statement of any irregularities discovered by said inspections and examinations so made by order of the comptroller.

**35. Mayor and comptroller to sign warrants.]** The mayor shall sign all warrants drawn upon the treasurer; and the same shall be countersigned by the comptroller. Each warrant shall state the particular fund or appropriation to which the same is chargeable and the person to whom payable; and no money shall be otherwise paid than upon warrants so drawn.

**36. Interest on judgments.]** The comptroller shall, upon the demand of the legal owner of any final judgment heretofore rendered or which may hereafter be rendered against the city, and upon the certificate of the corporation counsel that such judgment is final, pay the legal and statutory interest thereon semi-annually, in the months

of January and July of each year until such judgment is paid, or until payment thereof is tendered by the city to such owner.

**37. Publish pay-rolls.]** It shall be the duty of the city comptroller to make a monthly report to the city council of each and every pay-roll upon which he shall make payments to any employes of the city; such pay-roll shall contain the name and place of residence of each employe, shall indicate the services for which such employe is paid, and shall be published in such manner as the council may direct.

**38. Illinois Humane Society.]** All fines, paid in money, imposed through the agency of the Illinois Humane Society, under the ordinances of the city, shall, when collected, be transferred by the city comptroller to the credit of said society, to be applied to its support, and all fines imposed through the act, agency, or prosecution of any special policemen appointed on the application of said society, shall be regarded as imposed through the agency of the Illinois Humane Society.

**39. Contracts exceeding five hundred dollars—by whom let.]** All contracts for work, material, or supplies of any kind or nature, let by any officer of the city, where the amount of such contract exceeds five hundred dollars, shall be let to the lowest responsible bidder, after advertising the same. All such contracts before becoming of any effect shall be approved and countersigned by the comptroller.

Advertisement shall be made and bids submitted and received by the proper officer in the same manner as is provided for the letting of contracts in and by the provisions of Article I. of chapter LII. of this ordinance concerning the letting of contracts by the department of public works.

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## ARTICLE II.

### DEPUTY CITY COMPTROLLER.

**40. Deputy comptroller—office created—appointment.]** There is hereby created the office of deputy city comptroller. He shall be appointed by the comptroller according to law.

**41. Bond.]** Said deputy city comptroller, before entering upon the duties of his office, shall execute a bond to the city in the sum of fifty thousand dollars, with such sureties as the comptroller shall approve, conditioned for the faithful performance of the duties of his office.

**42. Duties.]** Said deputy city comptroller shall, during the disability or absence of the city comptroller, have and exercise the powers and duties of the city comptroller, and shall also, at all times, have and exercise such of the powers and duties of the city comptroller as shall be assigned to him by the city comptroller.



## ARTICLE III.

## BONDS.

**43. To whom payable—endorsement—form of endorsement.]** By the endorsement of the comptroller upon any bonds of the city, payable to bearer, when presented for that purpose by the owner, such bonds shall become payable only to the party named in such endorsement, his assignees or legal representatives, anything on the face of such bonds to the contrary notwithstanding. The affidavit of the party presenting any such bond, or his authorized agent or attorney, that he is the owner thereof, shall be sufficient evidence to the comptroller of such ownership.

The endorsement of the comptroller may be in the following form: "By virtue of the act of the general assembly of Illinois, the ordinances of the city of Chicago, and the consent of (A. B.) the owner of this bond, this bond is made payable only to said (A. B.) his assignees, or legal representatives, anything on the face hereof to the contrary notwithstanding. (C. D.) comptroller."

## SPECIAL ASSESSMENT BONDS.

**44. Manner of execution—coupons—form.]** Whenever the corporate authorities of the city shall provide by ordinance for the issuance of improvement bonds for the purpose of anticipating the collection of special assessments heretofore levied or hereafter to be levied, in pursuance of the provisions of the statutes of the State of Illinois, such bonds shall be lithographed or steel-engraved on the best quality of heavy bond paper, of a design to be approved by the mayor, and shall be signed by the mayor, and by the president of the board of local improvements, countersigned by the comptroller, and attested by the city clerk.

Coupons shall be attached to said bonds which shall bear the facsimile signature of the city comptroller, and shall be in substantially the following form:

Coupon No. .... \$....

The city of Chicago, Illinois, promises to pay bearer at the office of the city treasurer, in said city, on the ..... day of ..... 190.., the sum of .....dollars, being the annual interest on improvement bond No...., series No...., dated ....., issued in anticipation of the collection of the .....deferred installment of special assessment No...., named in said bond, said sum to be paid solely out of the said installment when collected.

City Comptroller.

Each bond shall have its amount printed or lithographed across the face thereof in large figures.

**45. Comptroller to select bonds to be paid.]** The city comptroller is hereby designated as the officer who shall, on or before January 10th of each year, ascertain the amount collected on special assessments applicable to the payment of bonds of each series unmatured, and who shall select by lot bonds of series to such amount, to be paid therewith and who shall give notice in some newspaper published in the city, of the number of bonds to be so paid, the series thereof, the assessment to which they relate, and the particular bonds so selected to be paid, and that the same will be paid, at a place to be specified, on the 10th day of February next following the date of such notice, pursuant to the provisions of the statutes of the State of Illinois.

#### ARTICLE IV.

##### MUNICIPAL ACCOUNTS.

**46. Accounting system.]** The books of accounts and all other public records and documents, and the methods of transacting public business of the city shall conform to the plan of public accounting and auditing, and to the plan of transacting public business embraced in following sections of this article.

**47. Classification of revenue.]** The classification of revenue and all accounts and records in connection therewith shall be as follows:

##### Corporate Purposes.

##### GENERAL GOVERNMENT.

###### EXECUTIVE.

—Mayor's Office.

###### LEGISLATIVE.

1—City Clerk.

###### LAW DEPARTMENT.

2—Corporation Counsel's Office.

3—Prosecuting Attorney's Office.

4—City Attorney's Office.

###### FINANCE DEPARTMENT.

5—Comptroller's Office.

6—City Treasurer's Office.

7—City Collector's Office.

8—Miscellaneous.

##### PUBLIC SAFETY (Protection of Life, Health and Property):

9—Police Department:

a—Special Details.

##### PUBLIC SAFETY—continued.

b—Special Appointments.

c—Sale of Lost and Stolen Property.

d—Miscellaneous.

10—Police and Justice Courts:

a—Fines and Forfeitures.

b—Miscellaneous.

11—House of Correction:

a—Fines.

b—Sales of Product.

c—Laundry Work.

d—Boarding Prisoners.

e—Miscellaneous.

12—John Worthy School:

a—Donations.

b—Miscellaneous.

13—Public Pounds:

a—Dog Pound.

b—Other Pounds.

14—Fire Department.

**PUBLIC SAFETY—continued.**

- 15—Department of Buildings:
  - a—Permits.
  - b—Inspection.
  - c—Miscellaneous.
- 16—Health Department:
  - a—Inspection.
  - b—Sale of Antitoxin.
  - c—Miscellaneous.
- 17—Department of Inspection:
  - a—Buildings and Fire Escapes.
  - b—Boilers.
  - c—Elevators.
  - d—Weights and Measures.
  - e—Gas.
  - f—Oil.
  - g—Automobiles.
  - h—Electric Light and Motors.
  - i—Board of Examiners of Stationary Engineers.
  - j—Steam Boiler Permits.
- 18—Hospitals:
  - a—Dues and Donations.
  - b—Miscellaneous.

**PUBLIC WORKS:**

- 19—Department of Public Works:
  - a—Bureau of Maps—Fees.
  - b—Bureau of Engineering—Fees.
  - c—Bureau of Engineering—Permits.
  - d—Bureau of Engineering—Wharfing Privileges.
  - e—Bureau of Engineering—Bridges and Viaducts.
  - f—Bureau of Engineering—Miscellaneous.
  - g—Bureau of Streets—Permits.
  - h—Bureau of Streets—City Dumps.
  - i—Bureau of Streets—Side-walk Certificates.
  - j—Bureau of Streets—Restoration of Streets.
  - k—Bureau of Streets—Corporation Inspection.
  - k—Bureau of Streets—Miscellaneous.
  - l—Bureau of Streets—Space
  - g Permits.

**PUBLIC WORKS—continued.**

- m—Bureau of Sewers—House Drain Permits.
- n—Bureau of Sewers—Restoration of Streets.
- o—Bureau of Sewers—Miscellaneous.
- p—Bureau of Sewers—Mason and Junction Setters Permits.
- 20—Department of Electricity:
  - a—Sale of Power.
  - b—Permits.
  - c—Inspection.
  - d—Miscellaneous.
- 21—City Real Estate and Buildings:
  - a—Rents.
  - b—Miscellaneous.
- 22—Taxation.
- 23—Licenses:
  - a—Liquor.
  - b—Other.
- 24—Franchise Tax:
  - a—Switch Tracks, Bay Windows, etc.
  - b—Percentage of Gross Receipts.
  - c—Maintenance of Bridges.
  - d—Mileage Compensation.
  - e—Vacation of Streets and Alleys.
  - f—Other.
- 25—Insurance Tax.
- 26—Deposits Forfeited.
- 27—Interest on Securities Owned Other than Trust Fund Securities.
- 28—Premium on Bonds.
- 29—Unclaimed Wages.
- 30—Markets.
- 31—Miscellaneous.

Note—All extraordinary revenue in detail by divisions.

**32 — Department of Water Works:****Assessed Rates:**

- a—Frontage.
- b—Water Closets.

**PUBLIC WORKS—continued.**

- c—Urinals.
- d—Baths.
- e—Water Basins.
- f—Extra Rooms and Persons.
- g—Saloons.
- h—Horse Troughs and Fountains.
- i—Laundries.
- j—Steam Heating and Engines.
- k—Stables.
- l—Miscellaneous Water Sales.
- m—Meter Service.
- n—Permits.
- o—Shut Offs.
- p—Meter Mechanical Receipts.
- q—Rent of Rookery Site.
- r—Miscellaneous.

Note—All extraordinary revenue in detail.

**PUBLIC WORKS—continued.**

- 33—Board of Education:
  - a—Taxation.
  - b—State School Fund.
  - c—Rents.
  - d—Tuition of Non-Resident Pupils.
  - e—State Tuition of Deaf Mutes.
  - f—Interest.
  - g—Miscellaneous.
  - h—Educational.
  - i—Building.
  - j—School Fund.
  - k—School Special Fund.

Note—Extraordinary revenue in detail.

**34—Public Library:**

- a—Taxation.
- b—Fines and Forfeitures.
- c—Miscellaneous.

Note—Extraordinary revenue in detail.

**48. Classification of expense.]** The classification of expenses and all accounts and records in connection therewith shall be as follows:

**Corporate purposes.****GENERAL GOVERNMENT.****EXECUTIVE.**

- 1—Mayor's Office:
  - a—Salaries.
  - b—Other—Operation.
  - c—Other Repairs and Renewals.

**LEGISLATIVE.**

- 2—City Council:
  - a—Salaries of Aldermen.
  - b—Finance Committee Salaries.
  - c—Finance Committee Other—Operation.
  - d—Local Transportation Committee Salaries.
  - e—Local Transportation Committee Other—Operation.
- 3—City Clerk:
  - a—Salaries.
  - b—Stationery and Printing.

**GENERAL GOVERNMENT—continued.**

- c—Other—Operation.
- d—Other—Repairs and Renewals.

**LAW DEPARTMENT.**

- 4—Corporation Counsel's Office:
  - a—Salaries.
  - b—Court Costs.
  - c—Other—Operation.
  - d—Other—Repairs and Renewals.
- 5—Prosecuting Attorney's Office:
  - a—Salaries.
  - b—Court Costs.
  - c—Other—Operation.
  - d—Other—Repairs and Renewals.
- 6—City Attorney's Office:
  - a—Salaries.
  - b—Court Costs.
  - c—Other—Operation.

**GENERAL GOVERNMENT—continued.**

*d*—Other—Repairs and Renewals.

**FINANCE DEPARTMENT.**

7—Comptroller's Office:

*a*—Salaries.

*b*—Stationery and Printing.

*c*—Other—Operation.

*d*—Audit Bureau—Salaries.

*e*—Audit Bureau—Other—Operation.

*f*—Paymaster's Bureau—Salaries.

*g*—Paymaster's Bureau—Other—Operation.

*h*—Bureau of Statistics—Salaries.

*i*—Bureau of Statistics—Other—Operation.

*j*—Bureau of Statistics—Other—Repairs and Renewals.

*k*—Comptroller's Office—Other—Repairs and Renewals.

*l*—Audit Bureau—Other—Repairs and Renewals.

8—City Treasurer's Office.

9—City Collector's Office:

*a*—Salaries.

*b*—Advertising.

*c*—Other—Operation.

*d*—Other—Repairs and Renewals.

**MISCELLANEOUS.**

10—City Hall:

*a*—Repairs and Renewals.

*b*—Salaries—Operation.

*c*—Other—Operation.

11—Board of Election Commissioners:

*a*—Salaries of Commissioners and Office Force.

*b*—Election Expense.

*c*—Stationery and Printing.

*d*—Other—Operation.

*e*—Other—Repairs and Renewals.

12—Civil Service Commission:

*a*—Salaries.

*b*—Other—Operation.

**GENERAL GOVERNMENT—continued.**

*c*—Other—Repairs and Renewals.

13—Department of Supplies:

*a*—Salaries.

*b*—Other—Operation.

*c*—Other—Repairs and Renewals.

14—Damages not Chargeable to Departments:

*a*—Injuries to Individuals.

*b*—Damage to Property.

15—Interest on Bonded Debt.

16—Miscellaneous Interest and Exchange.

17—Miscellaneous.

**PUBLIC SAFETY (Protection of Life, Health and Property):**

18—Police Department:

*a*—Salaries—General Superintendent, Assistant Superintendent, Drill Master, Secretaries, Clerks and Stenographers.

*b*—Salaries—Inspectors.

*c*—Salaries—Captains.

*d*—Salaries—Lieutenants.

*e*—Salaries—Sergeants—Patrol.

*f*—Salaries—Sergeants—Desk.

*g*—Salaries—Patrolmen and Crossing Men.

*h*—Salaries—Matrons.

*i*—Salaries—Custodians.

*j*—Salaries—Enginemmen.

*k*—Salaries—Janitors.

*l*—Salaries—Laborers.

*m*—Salaries—Patrol and Supply Drivers.

*n*—Salaries—Superintendent of Horses.

*o*—Salaries—Barn Men and Hostlers.

*p*—Repairs and Renewals of Wagons and Harness.

*q*—Live Stock—Replacement

*r*—Identification.

**PUBLIC SAFETY—continued.**

- s*—Salaries—Chief of Detectives, Lieutenants, Clerks and Stenographers—Detective Bureau.
- t*—Other Salaries—Detective Bureau.
- u*—Repairs and Renewals of Police Telegraph.
- v*—Salaries—Operation of Police Telegraph.
- w*—Other Expenses—Operation of Police Telegraph.
- x*—Rents.
- y*—Repairs and Renewals of Buildings.
- z*—Repairs and Renewals of Furniture.
- aa*—Repairs and Renewals of Equipment.
- bb*—Hospital and Ambulance Service.
- cc*—Secret Service.
- dd*—Pensioners.
- ee*—Printing and Stationery.
- ff*—Light and Heat.
- gg*—Other—Operation.
- hh*—Other—Repairs and Renewals.
- ii*—Meals for Prisoners.
- jj*—Live Stock—Keep.
- 19—Police and Justice Courts:
  - a*—Salaries.
  - b*—Other—Operation.
  - c*—Other—Repairs and Renewals.
- 20—House of Correction:
  - a*—Salaries.
  - b*—Stationery and Printing.
  - c*—Light and Heat.
  - d*—Subsistence.
  - e*—Fuel and Machinery Supplies.
  - f*—Manufacturing.
  - g*—Dispensary.
  - h*—Furniture, Bedding and Clothing.
  - i*—Omnibus, Barn and Forage.
  - j*—Repairs and Renewals of Buildings and Fixtures.

**PUBLIC SAFETY—continued.**

- k*—Farm Account.
- l*—Other—Operation.
- m*—Other—Repairs and Renewals.
- 21—John Worthy School:
  - a*—Officers and Matrons.
  - b*—Stationery and Printing.
  - c*—Subsistence.
  - d*—Clothing and Shoes.
  - e*—Repairs and Renewals.
  - f*—Other.
- 22—Public Pounds:
  - a*—Salaries.
  - b*—Repairs and Renewals.
  - c*—Other.
- 23—Fire Department:
  - a*—Salaries—Fire Marshal, Assistants, Inspectors, Secretaries, Clerks, Stenographers and Superintendent of Horses.
  - b*—Salaries—Battalion Chiefs.
  - c*—Salaries—Captains.
  - d*—Salaries—Lieutenants.
  - e*—Salaries—Engineers and Stokers.
  - f*—Salaries—Drivers.
  - g*—Salaries—Truckmen.
  - h*—Salaries—Pipemen.
  - i*—Salaries—Pilots.
  - j*—Salaries—Watchmen.
  - k*—Repairs and Renewals of Buildings.
  - l*—Repairs and Renewals of Engines.
  - m*—Repairs and Renewals of Trucks and Ladders.
  - n*—Repairs and Renewals of Hose Carts.
  - o*—Repairs and Renewals of Chemical Apparatus.
  - p*—Repairs and Renewals of Harness.
  - q*—Repairs and Renewals of Furniture and Bedding.
  - r*—Repairs and Renewals of Hose and Couplings.
  - s*—Repairs and Renewals—Other.

**PUBLIC SAFETY—continued.**

- t—Fuel for Engines.
- u—Lubricants and other Engine Supplies.
- v—Rent.
- w—Light and Heat.
- x—Stationery and Printing.
- y—Live Stock — Replacement.
- z—Repairs and Renewals of Fire Alarm Telegraph.
- aa—Salaries—Fire Alarm Telegraph.
- bb—Other—Operation.
- co—Live Stock—Keep.
- 24—Department of Buildings:
  - a—Salaries.
  - b—Other—Operation.
  - c—Other—Repairs and Renewals.
- 25—Health Department:
  - a—Salaries — Commissioner's Office.
  - b—Contagious Diseases.
  - c—Vital Statistics.
  - d—Isolation Hospital.
  - e—Repairs and Renewals — Isolation Hospital.
  - f—Salaries—Ambulance.
  - g—Repairs and Renewals — Ambulance.
  - h—Live Stock — Replacement.
  - i—Public Baths—Salaries.
  - j—Public Baths—Repairs and Renewals.
  - k—Public Baths—Other.
  - l—Ice, Milk and Meat Inspection—Salaries.
  - m—Drugs and Appliances.
  - n—Stationery and Printing.
  - o—Other—Operation.
  - p—Other—Repairs and Renewals.
  - q—Sanitary Inspection.
  - r—Board of Examiners of Plumbers—Salaries.
  - s—Board of Examiners of Plumbers—Other.
  - t—Laboratory—Salaries.
  - u—Laboratory Other — Operation.

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**PUBLIC SAFETY—continued.**

- v—Laboratory Other—Repairs and Renewals.
- w—Emergency.
- x—Live Stock—Keep.
- 26—City Physician:
  - a—Salaries.
  - b—Other.
- 27—Track Elevation:
  - a—Salaries.
  - b—Other.
- 28—Department of Inspection:
  - a—Boiler Inspector—Salaries.
  - b—Boiler Inspector—Other—Operation.
  - c—Boiler Inspector—Other—Repairs and Renewals.
  - d—Weights and Measures—Salaries.
  - e—Weights and Measures—Other—Operation.
  - f—Weights and Measures—Other—Repairs and Renewals.
  - g—Coal Inspector—Salaries.
- 29—Other Public Safety:
  - a—Board of Examiners of Stationary Engineers—Salaries.
  - b—Board of Examiners of Stationary Engineers—Other—Operation.
  - c—Board of Examiners of Stationary Engineers—Other—Repairs and Renewals.
- 30—Hospitals:
  - a—Repairs and Renewals.
  - b—Salaries.
  - c—Drugs and Appliances.
  - d—Subsistence.
  - e—Other.
- 31—Municipal Lodging Houses:
  - a—Repairs and Renewals.
  - b—Salaries.
  - c—Subsistence.
  - d—Other.
- 32—Outdoor Relief:
  - a—Salaries.
  - b—Rations.
  - c—Other.

**PUBLIC SAFETY—continued.****33—Other Public Charities:****a—Salaries.****b—Other.****34—Department of Public Works:****a—General Administration —  
Superintendence and Office  
Expenses.****b—General Administration —  
Stationery and Printing.****c—General Administration —  
Miscellaneous.****d—Bureau of Maps—Salaries.****e—Bureau of Maps—Other.****f—City Architect—Salaries.****g—City Architect—Other.****h—Bureau of Engineering —  
Superintendence and Office  
Expenses.****i—Bureau of Engineering —  
Bridges and Viaducts—Re-  
pairs and Renewals.****j—Bureau of Engineering —  
Bridges and Viaducts—Sal-  
aries.****k—Bureau of Engineering —  
Bridges and Viaducts—Fuel.****l—Bureau of Engineering —  
Bridges and Viaducts—Other.****m—Bureau of Engineering —  
River and Harbor—Salaries.****n—Bureau of Engineering —  
River and Harbor—Other.****o—Bureau of Engineering —  
Other.****p—Bureau of Streets—Super-  
intendence and Office Ex-  
penses.****q—Bureau of Streets—Salaries.****r—Bureau of Streets—Signs  
and Maps — Salaries, by  
Wards.****s—Bureau of Streets—Signs  
and Maps—Other, by Wards.****t—Bureau of Streets—Street  
Cleaning — Salaries, by  
Wards.****u—Bureau of Streets—Street  
Cleaning—Other, by Wards.****PUBLIC SAFETY—continued.****v—Bureau of Streets—Snow  
Removal — Salaries, by  
Wards.****w—Bureau of Streets—Snow  
Removal—Other, by Wards.****x—Bureau of Streets—Garbage  
Collection and Disposal —  
Salaries, by Wards.****y—Bureau of Streets—Garbage  
Collection and Disposal —  
Other, by Wards.****z—Bureau of Streets — City  
Dumps.****aa—Bureau of Streets—Other.****bb—Bureau of Sewers—Admin-  
istration—Salaries.****cc—Bureau of Sewers—Admin-  
istration—Other.****dd—Bureau of Sewers—Pump-  
ing Stations—Operation.****ee—Bureau of Sewers—Pump-  
ing Stations—Repairs and  
Renewals.****ff—Bureau of Sewers—Repairs  
of Sewers—Salaries.****gg—Bureau of Sewers—Repairs  
of Sewers—Other.****hh—Bureau of Sewers — Re-  
pairs, Catch Basins and Man-  
holes—Salaries.****ii—Bureau of Sewers — Re-  
pairs, Catch Basins and Man-  
holes—Other.****jj—Bureau of Sewers — Bench  
Monuments—Salaries.****kk—Bureau of Sewers — Bench  
Monuments—Other.****ll—Bureau of Sewers—Restora-  
tion of Streets—Salaries.****mm—Bureau of Sewers—Res-  
toration of Streets—Other.****nn—Bureau of Sewers—House  
Drains—Salaries.****oo—Bureau of Sewers—House  
Drains—Other.****pp—Bureau of Sewers—Clean-  
ing Sewers—Salaries.****qq—Bureau of Sewers—Clean-  
ing Sewers—Other.**



**PUBLIC SAFETY—continued.**

- rr—Bureau of Sewers—Other.
- 25—Board of Local Improvements:
  - a—Salaries.
  - b—Stationery and Printing.
  - c—Advertising.
  - d—Other.
- 26—Department of Electricity:
  - a—Administration — Salaries and Expenses.
  - b—Police and Fire Alarm Telegraph—Repairs and Renewals.
  - c—Police and Fire Alarm Telegraph—Operation.
  - d—Electrical Inspection.
  - e—Electric Lighting System—Salaries, Superintendence and other Expenses.
  - f—Electric Lighting System—Repairs and Renewals, Circuits, Conduits, and Posts.
  - g—Electric Lighting System—Repairs and Renewals, Lamps and Posts.
  - h—Electric Lighting System—Trimming—Salaries.
  - i—Electric Lighting System—Globes.
  - j—Electric Lighting System—Carbons.
  - k—Gas Lamp Repair Shop—Salaries.
  - l—Gas Lamp Repair Shop—Material and Supplies.
  - m—Street Lighting—Gas.
  - n—Street Lighting—Gasoline—Rentals.
  - o—Street Lighting—Electric—Rentals.
  - p—Street Lighting—Other.
  - q—Plant No. 1—Repairs and Renewals—Steam Plant.
  - r—Plant No. 1—Repairs and Renewals—Electric Plant.
  - s—Plant No. 1—Salaries, Operation.
  - t—Plant No. 1—Fuel.

**PUBLIC SAFETY—continued.**

- u—Plant No. 1—Other Operation.
- v—Plant No. 4—Repairs and Renewals—Steam Plant.
- w—Plant No. 4—Repairs and Renewals—Electric Plant.
- x—Plant No. 4—Salaries, Operation.
- y—Plant No. 4—Fuel.
- z—Plant No. 4—Other Operation.
- aa—Plant No. 6—Repairs and Renewals—Steam Plant.
- bb—Plant No. 6—Repairs and Renewals—Electric Plant.
- cc—Plant No. 6—Salaries, Operation.
- dd—Plant No. 6—Fuel.
- ee—Plant No. 6—Other Operation.
- ff—Plant No. 8—Repairs and Renewals—Steam Plant.
- gg—Plant No. 8—Repairs and Renewals—Electric Plant.
- hh—Plant No. 8—Salaries, Operation.
- ii—Plant No. 8—Fuel.
- jj—Plant No. 8—Other Operation.
- kk—R. A. Waller Plant—Repairs and Renewals—Steam Plant.
- ll—R. A. Waller Plant—Repairs and Renewals—Electric Plant.
- mm—R. A. Waller Plant—Salaries, Operation.
- nn—R. A. Waller Plant—Fuel.
- oo—R. A. Waller Plant—Other Operation.
- pp—Crematory.
- qq—Gas Inspection—Salaries, Superintendence and other Expenses.
- rr—Automobiles—Licenses and Inspection.
- ss—Other—Operation.
- tt—Other—Repairs and Renewals.

**PUBLIC SAFETY—continued.**

37—City Real Estate and Buildings:

- a—Repairs and Renewals.
- b—Rents.
- c—Other.

**PUBLIC RECREATION AND ART.**

38—Small Parks Commission:

- a—Salaries.
- b—Other.

39—Play Grounds:

- a—Salaries.
- b—Other.

40—Markets:

- a—Repairs and Renewals.
- b—Salaries.
- c—Other.

41—Loss and cost in collection of taxes.

Note—Extraordinary expense in detail by divisions.

42—Department of Water Works:

- a—Superintendence — Salaries and Expenses.
- b—Collection Division — Salaries and Expenses.
- c—Assessor's Division — Salaries and Expenses.
- d—Meter Division — Salaries and Expenses.
- e—Shut Off Division—Salaries and Expenses.
- f—Inspection Division — Salaries and Expenses.
- g—Permit Division — Salaries and Expenses.
- h—Meter Mechanical Division —Salaries and Expenses.
- i—Materials and Supplies.
- j—Stationery and Printing.
- k—Rents.
- l—Two-Mile Crib—Repairs and Renewals.
- m—Two-Mile Crib—Operation.
- n—Four-Mile Crib — Repairs and Renewals.
- o—Four-Mile Crib—Operation.
- p—Lake View Crib—Repairs and Renewals.

**PUBLIC SAFETY—continued.**

q—Lake View Crib—Operation.

r—Hyde Park Crib—Repairs and Renewals.

s—Hyde Park Crib—Operation.

t—Carter H. Harrison Crib—Repairs and Renewals.

u—Carter H. Harrison Crib—Operation.

v—Tug Service—Repairs and Renewals.

w—Tug Service—Operation.

x—Pumping Station, Chicago Avenue—Repairs and Renewals.

y—Pumping Station, Chicago Avenue—Operation.

z—Pumping Station, Fourteenth Street—Repairs and Renewals.

aa—Pumping Station, Fourteenth Street—Operation.

bb—Pumping Station, Harrison Street—Repairs and Renewals.

cc—Pumping Station, Harrison Street—Operation.

dd—Pumping Station, Lake View Avenue—Repairs and Renewals.

ee—Pumping Station, Lake View Avenue—Operation.

ff—Pumping Station, Twenty-second Street—Repairs and Renewals.

gg—Pumping Station, Twenty-second Street—Operation.

hh—Pumping Station, Sixty-eighth Street—Repairs and Renewals.

ii—Pumping Station, Sixty-eighth Street—Operation.

jj—Pumping Station, Central Park Avenue—Repairs and Renewals.

kk—Pumping Station, Central Park Avenue—Operation.

ll—Pumping Station, Springfield Avenue—Repairs and Renewals.

**PUBLIC SAFETY—continued.**

- mm*—Pumping Station, Springfield Avenue—Operation.
- nn*—Pumping Station, Norwood Park—Repairs and Renewals.
- oo*—Pumping Station, Norwood Park—Operation.
- pp*—Pumping Station, Washington Heights—Repairs and Renewals.
- qq*—Pumping Station, Washington Heights—Operation.
- rr*—Repairs and Renewals of Tunnels.
- ss*—Repairs and Renewals of other Buildings.
- tt*—Repairs and Renewals of Pipes and Hydrants.
- uu*—Repairs and Renewals of Meters.
- vv*—New Meters and Setting.
- ww*—Tapping Mains.
- xx*—Restoration of Streets and Sidewalks.
- yy*—Damage to Property.
- zz*—Miscellaneous.
- aaa*—Extraordinary Expense in Detail.
- 43—Board of Education:
  - a*—Repairs and Renewals of Buildings.
  - b*—Repairs and Renewals of Furniture and Fixtures.
  - c*—Repairs and Renewals of Heating and Ventilating Apparatus.
  - d*—Salaries—Official and Business Management.
  - e*—Salaries—Principals.
  - f*—Salaries—Teachers.
  - g*—Salaries—Supervisors.
  - h*—Salaries—Engineers and Janitors.
  - i*—Text Books.
  - j*—Other School Supplies.
  - k*—School Libraries.
  - l*—Rents of Sites and Buildings.

**PUBLIC SAFETY—continued.**

- m*—School House Supplies.
- n*—Legal Expenses.
- o*—Stationery and Printing.
- p*—Light and Heat.
- q*—Filter Rental.
- r*—School Censaus.
- s*—Miscellaneous.
- t*—Loss and Costs in Collection of Taxes.

NOTE—All extraordinary expense in detail.

- 44—Public Libraries:
  - a*—Salaries, Main Library.
  - b*—Salaries, Branch Reading Room.
  - c*—Salaries, Delivery Stations.
  - d*—Delivery Stations, Miscellaneous.
  - e*—Branch Reading Rooms, Miscellaneous.
  - f*—Books.
  - g*—Binding.
  - h*—Finding Lists.
  - i*—Printing and Stationery.
  - j*—Newspapers and Periodicals.
  - k*—Miscellaneous Expenses.
  - l*—Fuel.
  - m*—Heating and Generating Plant.
  - n*—Electrical Supplies and Repairs.
  - o*—Elevator Supplies and Repairs.
  - p*—Janitor's Expense.
  - q*—Furniture and Fixtures.
  - r*—Insurance.
  - s*—Freight and Expressage.
  - t*—Postage.
  - u*—Books Lost and Paid For, Refunds.
  - v*—Repairs, Alterations and Improvements.
  - w*—Interest.
  - x*—Loss and Cost, Tax Collections.
  - y*—Blackstone Branch.

**49. Forms and records.]** The forms, ledgers, warrants, vouchers, books of account, and all other papers and records used in the various departments and boards of the city government in the transaction of all public business shall be such as the comptroller may from time to time prescribe.

**50. Adoption of system.]** All departments, bureaus, boards, officers and persons, shall adopt and put into effect the foregoing system of accounting and auditing, and are hereby directed and required to make their reports and accounts conform to the classification herein enumerated or as the same may hereafter be changed by the comptroller, and are also directed and required to use the books and forms prescribed by the comptroller.

**51. Financial reports.]** Monthly financial reports for each calendar month are hereby required to be made to the city comptroller, by all departments, bureaus, boards or persons connected with the city government who are requested to make such reports by the comptroller.

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## ARTICLE V.

### CITY TREASURER.

**52. Bond.]** The city treasurer, before entering upon the duties of his office, shall execute a bond, with sureties to be approved by the city council, in a sum not less than the amount of the estimated tax and special assessments for the current year.

**53. Appointment of assistants—removal.]** He shall appoint, according to law, all assistants, clerks and subordinates employed in his office, and may remove them according to law. Any assistant, clerk or subordinate appointed by him who shall have the custody of public money may be removed by him in his discretion for any reason he may deem proper.

**54. Bonds of assistants.]** It shall be the duty of said treasurer to require good and sufficient bonds to be given by all assistants and clerks in his office, who shall receive, or have the care, custody, or handling of any moneys or other valuable thing belonging to the city, which said bonds shall run to and be approved by the city treasurer.

**55. Duties.]** He shall receive all moneys belonging to the city, and shall render at the end of each month, and oftener if required, a statement, under oath, to the city comptroller, showing the state of the treasury at the date of such account, and the balance of the money in the treasury. Such statement shall set forth all the moneys received by him, and from whom, and on what account they shall have

been received; also, all moneys paid out by him, and on what account they shall have been paid.

**56. Books of account.]** Said treasurer shall cause to be kept books of account, in such manner as to show with entire accuracy, all moneys received by him, and from whom, and on what account they shall have been received; and all moneys paid out by him, and on what account they shall have been paid; and in such manner that such books may be readily understood and investigated. Such books, and all papers and files of his office, shall be at all times open to the examination of the comptroller, the finance committee, or any member of the city council.

**57. Interest on school fund.]** The city treasurer shall place to the credit of the school fund so much of all interest that may be earned thereby and be received by him as shall remain after deducting from such interest the pro rata portion thereof appropriated to pay his compensation as such city treasurer.

**58. Monthly report of interest received.]** The city treasurer shall make to the city comptroller a monthly report, under oath, for each calendar month, of all interest on moneys received by or credited to the city treasurer or to the city, by any bank or other depository in which is deposited any interest-bearing moneys of the city, including trust funds and special deposits.

**59. Bank—interest.]** Such report shall show the name of the bank or depository, where any interest-bearing moneys are deposited; the average sum of money on deposit in each bank or depository during the calendar month; the interest paid or credited thereon by each bank or depository, and the average rate of interest so paid or credited.

**60. Report—time for making.]** Such report shall be made and verified to the city comptroller on or before the fifth day of the month next succeeding the month for which the report is rendered.

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## ARTICLE VI.

### CITY COLLECTOR.

**61. Collector—office created—appointment.]** There is hereby created the office of city collector. He shall be appointed by the mayor, by and with the advice and consent of the city council.

**62. Bond.]** Said collector shall, before entering upon the duties of his office, execute a bond, with sureties, to be approved by the city council, in the sum of two hundred and fifty thousand dollars, conditioned for the faithful performance of the duties of his office.

**63. Clerks—appointment of—removal.]** Said collector shall appoint according to law such assistants, clerks and subordinates in his office as the city council may authorize, and he may remove any such appointees according to law. He shall be held responsible for the fidelity of any person appointed by him who shall have the custody of public money and he may remove any such person in his discretion for any reason he may deem proper.

**64. Monthly statement—books of account.]** He shall furnish and file with the comptroller a monthly statement of all moneys received by him; and from whom, and on what account they shall have been received. It shall be the duty of the city collector, under and subject to the direction and supervision of the city comptroller, to keep books and accounts, which shall show all receipts and moneys received by him, and other matters pertaining to his office; such books and accounts to be kept in a clear, intelligible, and methodical manner.

**65. Payments of money.]** License fees, fees for inspections, fees for permits, compensation for franchises and all other payments of money, not otherwise specifically provided for, to the city, shall be paid direct to the city collector, and such payments shall be by the city collector transmitted daily to the city treasurer; Provided, that where the public convenience requires it, the department of finance may authorize the payment of license fees and fees for permits to be made to the officer authorized to issue such license or permit; and Provided further, that collections by the water bureau shall be paid direct to the city treasurer; and, Provided further, collections of fines by the police courts shall be transmitted daily to the city collector.

**66. Existing contracts.]** The foregoing section shall not be construed to conflict with contract obligations now in force and entered into by the city with any person or corporation for the payment of money to any particular department, bureau, board or person, or at any particular time or place.

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## ARTICLE VII.

### DELINQUENT SPECIAL ASSESSMENTS.

**67. County treasurer to make payments daily.]** The county treasurer and *ex officio* county collector of Cook county, Illinois, is hereby required and directed to pay into the treasury of the city, daily, all moneys in his hands or in his possession, or under his control, on account of or by virtue of delinquent special assessments, certified to said county treasurer and *ex officio* county collector by the city collector of the city.

**68. Copy of receipt.]** Each and every such payment shall be ac-

accompanied with a copy of the receipt given to the payer of the delinquent special assessment, or with a statement containing all the information embraced in such receipt.

**69. Penalty.]** Any county treasurer and *ex officio* county collector of Cook county, Illinois, who neglects or refuses to comply with any of the terms of sections 67 and 68, shall for each and every such neglect or refusal be punished by a fine not to exceed two hundred dollars.

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## ARTICLE VIII.

### BUREAU OF STATISTICS.

**70. Bureau established.]** There is hereby established a bureau in the department of finance to be known as the bureau of statistics.

**71. City statistician—office created.]** There is hereby created the office of city statistician. He shall be appointed according to law and shall be the head of the bureau of statistics. There shall be in said bureau an assistant city statistician and such other employees as the city council may by ordinance provide.

**72. Duties.]** It shall be the duty of the city statistician to collect, compile and publish, whenever directed so to do by the city council or the city comptroller, statistics and information relating to the city of Chicago, and statistics relating to the government and operation of other municipalities. He shall keep on file all reports printed or published by the city, or any of its departments relating to the government, management or control of said city, or any of its departments, and shall perform such other duties as may from time to time be required of him by the city comptroller.

(Note: See Supplement.)

## CHAPTER V.

### LAW.

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#### ARTICLE I.

##### CORPORATION COUNSEL.

**73. Department established.]** There is hereby established an executive department of the municipal government of the city which shall be known as the department of law and shall embrace the corporation counsel, the city attorney, the prosecuting attorney, and such number of assistants and clerks as the city council may by ordinance provide.

**74. Office created.]** There is hereby created the office of corporation counsel. He shall be appointed by the mayor by and with the advice and consent of the city council and shall be the head of the law department of the city.

**75. Bond.]** Said corporation counsel before entering upon the duties of his office shall execute a bond to the city in the sum of five thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**76. Assistants—appointment and removal.]** The corporation counsel shall have the power of appointing and removing all or any of his assistants and clerks.

**77. Duties.]** He shall superintend and with the assistance of the city attorney and prosecuting attorney conduct all the law business of the city.

**78. Fire department attorney.]** He shall employ an attorney at law, whose office shall be at the headquarters of the fire department, and who shall be known as the fire department attorney. Such attorney shall be subject to the instructions of the corporation counsel and of the fire marshal and shall perform such duties as may be imposed upon him by either of them.

**79. Docket of cases.]** The corporation counsel shall keep or cause to be kept in proper books to be provided for that purpose a register of all actions in court prosecuted or defended by his office and all proceedings had therein; such books shall at all time be open to the



inspection of the mayor, comptroller, or any member or committee of the city council.

**80. Drafts of ordinances.]** The corporation counsel shall draft such ordinances as may be required of him by the city council or by any committee thereof.

**81. Contracts, deeds, etc.]** The corporation counsel shall draw any deeds, leases, contracts, or other papers required by the business of the city, when requested so to do by the mayor, the city council, or the head of any department.

**82. Legal opinions.]** The corporation counsel shall, when required so to do, furnish written opinions upon subjects submitted to him by the mayor or the city council or by the head of any department.

**83. Annual report.]** The corporation counsel shall on or before the first day of February in each year report in writing to the city council the transactions of his office during the preceding year together with such other information as he may deem necessary or proper.

**84. Annual estimate.]** The corporation counsel shall prepare and submit to the comptroller on or before the first day of February in each year an estimate of the whole cost and expense of providing for and maintaining his office and the office of the prosecuting attorney during the current fiscal year; which estimate shall be in detail and shall be laid by said comptroller before the city council with his annual estimate.

**85. Term ended—delivery to successor.]** Upon the expiration of his term of office or his resignation thereof or removal therefrom the corporation counsel shall forthwith on demand deliver to his successor in office all deeds, leases, contracts, books, and papers in his hands belonging to the city or delivered to him by any of its officers, and all papers or information in actions prosecuted or defended by him then pending and undetermined, together with his register thereof and of the proceedings therein.

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## ARTICLE II.

### CITY ATTORNEY.

**86. Bond.]** The city attorney shall before entering upon the duties of his office execute a bond to the city with sureties to be approved by the city council, in the sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

**87. Assistants—appointment and removal.]** The city attorney

shall have the power of appointing and removing all or any assistants and clerks in his office.

**88. Duties.]** The city attorney shall assist the corporation counsel in conducting the law business of the city and shall have especial charge of all actions in tort against the city arising out of damages or injury caused by defective streets or sidewalks. He shall perform such other duties as may be required of him from time to time by the city council.

**89. Docket of cases.]** The city attorney shall keep in proper books to be provided for that purpose a register of all actions in court prosecuted or defended by his office, to which the city may be a party, and shall keep an accurate record of all proceedings had therein. Such books shall at all times be open to the inspection of the mayor, comptroller, corporation counsel, or any member or committee of the city council.

**90. Annual report.]** The city attorney shall annually on or before the first day of February in each year, report in writing to the city council the transactions of his office during the preceding year, together with a statement of all actions pending in court prosecuted or defended by his office, to which the city is a party; and such report shall contain the names of all defendants and complainants, the nature of the action, the date of the commencement thereof, and the status of each suit, accompanying such report with such information as he may see fit to append. He shall also attach to such report a list of all cases that have been disposed of during his term of office which were not reported as disposed of in his last previous report, stating the manner of the disposition of each of such cases.

**91. Annual estimate.]** The city attorney shall prepare and submit to the comptroller on or before the first day of February in each year an estimate of the whole cost and expense of providing for and maintaining his office during the current fiscal year; which estimate shall be in detail and shall be laid by the comptroller before the city council with his annual estimate.

**92. Term ended—delivery to successor.]** Upon the expiration of his term of office or his resignation thereof or removal therefrom the city attorney shall forthwith on demand deliver to his successor in office all books and papers in his possession belonging to the city or delivered to him by any of its officers and all papers and information in his possession in actions prosecuted or defended by him then pending and undetermined, together with his register thereof and of the proceedings therein.

## ARTICLE III.

## PROSECUTING ATTORNEY.

**93. Office created—appointment.]** There is hereby created the office of prosecuting attorney. He shall be appointed by the mayor by and with the advice and consent of the city council.

**94. Bond.]** He shall, before entering upon the duties of his office execute a bond to the city, in the sum of five thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**95. Duties.]** The prosecuting attorney shall be charged with the prosecution of all actions for violation of the ordinances of the city, and with the conduct of all such proceedings before justices, or upon appeal to the criminal court. He shall institute an action in every case where there has been a violation of any city ordinance, when instructed to do so by the city council, or the chief officer of any department, or upon the complaint of any other person, when, in his judgment, the public interest requires that the same shall be prosecuted.

**96. Compromise actions.]** He may, with the consent of the corporation counsel discontinue any action brought for the violation of any city ordinance upon such terms as to him may seem equitable.

**97. Report to corporation counsel—annual estimate.]** He shall on or before the first day of February in each year report to the corporation counsel the transactions of his office during the preceding year and shall submit with such report an estimate of the whole cost and expense of providing for and maintaining his office during the current fiscal year. He shall also submit with such report such other information as he may deem necessary or proper.

**98. Delivery of papers to successor.]** Upon the expiration of his term of office, or his resignation thereof, or removal therefrom, the prosecuting attorney shall forthwith, on demand, deliver to his successor in office all papers in his hands belonging to the city or delivered to him by any of its officers, and all papers in actions prosecuted by him, and which are then pending and undetermined, together with his register thereof, and of the proceedings therein.

## CHAPTER VI.

### AMUSEMENTS.

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#### ARTICLE I.

##### CLASSIFICATION AND LICENSE PROVISIONS.

**99. Classification for license.]** For the purpose of providing for the regulation and licensing of theatrical, dramatic, and operatic entertainments, shows, amusements, field games, and public exhibitions of every kind intended or calculated to amuse, instruct, or entertain, where such entertainments, shows, amusements, games, and exhibitions are given for gain, or for admission to which the public is required to pay a fee, such entertainments, shows, amusements, games, and exhibitions are divided into sixteen classes, as follows:

**First Class.** All entertainments of a theatrical, dramatic, or operatic character shall belong to and be known as entertainments of the first class.

**Second Class.** All lectures, readings, or recitations, exhibitions of paintings or statuary, or other exhibitions of art, shall belong to and be known as entertainments of the second class.

**Third Class.** All musical entertainments consisting solely of vocal or instrumental music, or of both vocal and instrumental music and not of the nature of an opera but being what is commonly styled and known as a "concert," shall belong to and be known as entertainments of the third class.

**Fourth Class.** All circuses, menageries, or combined circuses and menageries, caravans, exhibitions of monsters or freaks of nature, shall belong to and be known as entertainments of the fourth class.

**Fifth Class.** All sideshows, concerts, minstrel or musical entertainments given under a covering of canvas or within any structure or inclosure intended for temporary use and capable of easy transfer and removal, shall belong to and be known as entertainments of the fifth class.

**Sixth Class.** All exhibitions of moving pictures known as mutoscope, kinetoscope, cinematograph, or other like automatic or moving picture devices (other than those conducted under and belonging

to class fifteen as hereinafter set forth), shall belong to and be known as entertainments of the sixth class.

**Seventh Class.** All baseball, football, or similar games of sport, including all athletic exhibitions or performances presented, given, or conducted in any building or under canvas or other covering, or within any inclosure, shall belong to and be known as entertainments of the seventh class.

**Eighth Class.** All swings and all itinerant shows, such as bird shows, galvanic batteries, lifting machines, blowing and striking machines, and all other exhibitions and devices, and performances given or performed, from place to place in the city, shall belong to and be known as entertainments of the eighth class.

**Ninth Class.** All poultry shows, horse shows, stock shows, flower shows, dog shows, cat shows, automobile shows, and any other show or exhibition of a like character intended to represent any sport, art, science, or the progress and development of same, shall belong to and be known as entertainments of the ninth class.

**Tenth Class.** All merry-go-rounds, revolving wheels carrying passengers, slides, roller skating rinks and all similar amusement devices, exhibitions, performances, or entertainments not included in or carried on as a part of class eleven as hereinafter described, shall belong to and be known as entertainments of the tenth class.

**Eleventh Class.** When several amusement enterprises, such as shooting the chutes, revolving wheels, merry-go-rounds, shooting galleries, giant swings, panoramas, musical and theatrical entertainments, and various other devices or entertainments, are carried on, engaged in, or conducted in any garden, park, or other inclosure, whether carried on, engaged in, or conducted as one enterprise or by several concessionaires and whether one admission fee is charged for admission to all such entertainments or a separate fee is charged to each amusement enterprise, the various entertainments offered or conducted shall for the purposes of this chapter be considered as one enterprise and shall belong to and be known as entertainments of the eleventh class.

**Twelfth Class.** When in any park, garden, or other inclosure of the kind commonly known and described as the summer garden, musical entertainment only (whether instrumental or vocal or both) is furnished, such entertainment shall belong to and be known as entertainments of the twelfth class.

**Thirteenth Class.** Dances, bazaars, and other entertainments of like character conducted, carried on, or engaged in in any hall, structure, or building, shall belong to and be known as entertainments of the thirteenth class.

**Fourteenth Class.** Exhibitions of fireworks shall belong to and be known as entertainments of the fourteenth class.

**Fifteenth Class.** When in any room, place, premises, or part thereof, any entertainment is carried on, conducted, or engaged in, (whether such place be a saloon, or grocery or other place) of the kind commonly known as a mutoscope parlor, penny arcade, or other place where entertainment is furnished through or by one or more automatic moving picture devices or other similar devices, such entertainments shall belong to and be known as entertainments of the fifteenth class.

**Sixteenth Class.** All exhibitions, performances, entertainments, or amusement devices not included in any of the foregoing classes shall belong to and be known as entertainments of the sixteenth class.

**100. License—penalty.]** No person or corporation, either as owner, lessee, manager, officer, or agent, or in any other capacity, shall give, conduct, produce, present, or offer, for gain or profit, any of the entertainments, exhibitions, or performances mentioned in any of the sixteen classes specified and defined in this chapter, at any place in the city, other than within a duly licensed theatre, opera house, hall, or other inclosure or place, without a license issued for that purpose; which said license shall be issued and procured in the manner hereinafter set out in this chapter.

Any person or corporation violating any of the provisions of this section shall be fined not less than fifty dollars nor more than two hundred dollars for each offense, and each and every day upon which any such person or corporation shall give, conduct, produce, present, or offer any such entertainment, exhibition, or performance contrary to or in violation of any of the provisions of this section shall constitute a separate and distinct offense.

**101. Application for license—mayor may refuse—cause for refusal.]** Any person or corporation desiring to produce, present, conduct, or offer for gain or profit any of the entertainments, exhibitions, or performances mentioned in any of the sixteen classes specified in this chapter, at any place within the city, other than within a duly licensed place as hereinafter provided for, shall make application to the mayor in writing, setting out the full name of the applicant, a description of the kind and class of entertainment he or it intends to offer, and the place at which it is desired to produce, present, conduct, or offer such entertainment, exhibition, or performance. Upon the payment by such applicant to the city collector of the license fee hereinafter specified for the particular class of entertainment such applicant desires a license for the production or presentation of, the city clerk shall issue to such applicant a license authorizing him to conduct, produce, present, or offer the class of entertainment specified in such license, at the place described in such application and for the period of time specified in such license; Provided, however, that if the place at which it is desired to offer such entertainment be not a

fit or proper place and not conducted or maintained in accordance with the provisions of the ordinances of the city governing or controlling such places, or if the entertainment desired to be produced or offered be of an immoral or dangerous character, or if the person making application for a license be not of good character, the mayor may refuse to approve such application and no license shall be issued by the city clerk except upon the approval of the application therefor by the mayor.

102. **License fee to be charged where entertainment is not given in licensed place.]** In any case where any person or corporation shall desire to produce, offer, present, or conduct any entertainment of any of the classes hereinabove defined and specified (other than of classes one, two and three, none of which such entertainments shall be produced, offered, or presented except in a duly licensed place) at any place other than a duly licensed place such as is hereinafter provided for, the amount of the license fee to be charged for each particular class of entertainment so given, conducted, produced, or offered shall be as follows: For entertainments of the fourth class, where the circus or circus and menagerie combined is presented or produced in a building, tent or other inclosure having a seating capacity sufficient to accommodate fifteen hundred or more persons, three hundred dollars for each day or part thereof. For each menagerie not conducted in connection with a circus where the building, tent, inclosure, or structure in which such menagerie is presented or conducted has a seating capacity sufficient to accommodate fifteen hundred or more persons, two hundred dollars for each day or part thereof. For entertainments of the fourth class where the circus or circus and menagerie combined is presented, conducted, or produced in a building, tent or other inclosure having a seating capacity sufficient to accommodate not to exceed fifteen hundred persons, fifty dollars per week or any part thereof.

For entertainments of the fifth class ten dollars for each day or part thereof.

For entertainments of the sixth class ten dollars for each day or part thereof.

For entertainments of the seventh class ten dollars for each day or part thereof where seats are provided for not more than fifteen hundred persons. Where seats are provided for more than fifteen hundred persons the fee shall be fifty dollars per day or part thereof.

For entertainments of the eighth class ten dollars for each month or part thereof.

For entertainments of the ninth class ten dollars for each day or part thereof.

For entertainments of the tenth class two dollars for each day or part thereof.

For entertainments of the eleventh class fifty dollars for each week or any part thereof.

For entertainments of the twelfth class twenty dollars for each week or any part thereof.

For entertainments of the thirteenth class five dollars for each day or part thereof.

For entertainments of the fourteenth class fifty dollars for each day or part thereof.

For entertainments of the fifteenth class a license fee shall be charged at the rate of two hundred dollars per annum; provided, however, that no license shall be issued for entertainments of this class, for any period of time, for a less sum than ten dollars.

For entertainments of the sixteenth class two dollars for each day or part thereof.

**103. Where classes are mixed.]** Where any entertainment, show, exhibition, performance, or amusement enterprise embraces two or more of the classes above specified, such entertainment, show, exhibition, performance, or amusement enterprise shall be classified and charged for as wholly belonging to that class for which the highest license fee is charged.

**104. Places where license shall not issue for entertainments of class 4.]** No license shall be issued for any entertainment of the fourth class at, in, or upon any building, lot, inclosure, or place any part of which is situated within fifteen hundred feet of the boundary line of any public park wholly or in part in the city.

**105. Annual license for theatres, opera houses, halls, etc.]** Any person or corporation the owner or lessee of any theatre, opera house, auditorium, hall, or other place at or in which it is desired or intended to produce, offer, present, or carry on entertainments of the first, second, or third class, who desires to secure a license for such theatre, opera house, auditorium, hall, or other place, shall be granted a license therefor under the following conditions:

The applicant shall make application in writing to the mayor setting out his full name and residence, if an individual, and if a corporation the full name and residence of its principal officers, also a description of the place for which a license is desired and a statement of the class of entertainment which it is intended or desired to produce, offer, or present at such place and also the highest price which it is intended to charge for admission to any entertainment offered or presented at such place. Thereupon the mayor shall make or cause to be made an examination of the place for which such license is desired; and if it shall appear that such theatre, opera house, auditorium, hall, or other place is constructed and is being maintained in accordance with the provisions of articles VII. and VIII. of chapter XV. of this ordinance relating to buildings used



wholly or in part for the purposes of classes IV. and V. (as said classes are defined in said articles and chapter), the mayor shall issue or cause to be issued a license to such applicant, attested by the city clerk, which shall entitle the licensee named therein to present, offer, produce, or conduct at the place designated in such license, entertainments of the first, second, or third classes, for and during the period of such license.

The fee for such license shall be paid to the city collector before the delivery of such license, and the amount of such fee shall be as follows: if it is designed or intended to produce, offer, or present in such place entertainments of the first class as defined in this chapter and the highest price of admission charged to any such entertainment or entertainments produced, offered, or presented in such licensed place shall exceed seventy-five cents, the annual license fee shall be five hundred dollars. If the highest price of admission exceeds fifty cents and does not exceed seventy-five cents the annual license fee shall be three hundred dollars. If the highest price of admission does not exceed fifty cents the annual license fee shall be two hundred dollars. If it is designed or intended to produce, offer, or present in such licensed place entertainments only of the second class, the annual license fee to be charged shall be two hundred dollars. If it is designed or intended to produce, offer, or present in such licensed place entertainments only of the third class, the annual license fee to be charged shall be one hundred dollars.

**106. License not to issue without certificate of building commissioner, fire marshal, and city electrician.]** No license shall be issued under the provisions of the preceding section of this chapter for any auditorium, room, or place used for the purposes of classes IV. and V. as defined in article III. of chapter XV. of this ordinance, unless the commissioner of buildings, the city electrician, and the fire marshal shall first have certified in writing to the mayor that the auditorium, room, or place for which such license is sought complies with all the requirements of this ordinance.

(Note: See sections 315, 350 and 381 of chapter XV.)

**107. Buildings or structures designed for general entertainments—license—fee.]** If any person or corporation the owner, lessee, manager, officer, or agent of any building or structure designed or intended to be used or which is used for the production, presentment, or offering therein of any or all of the various classes of entertainments herein defined and specified other than entertainments of the first, fourth, and ninth classes, desires to secure a license for such building or structure so that any class of entertainment herein defined and specified (save entertainments of the first, fourth, and ninth classes) may be produced, offered, or presented therein, without the payment of a license fee for such entertainment, such person

or corporation may be granted a license for such building or structure under the following conditions:

Such person or corporation shall make an application in writing to the mayor setting out his full name and residence, if an individual, and the full name and residence of its principal officers, if a corporation, together with the location and description of the building or structure for which it is desired to secure a license; and thereupon the mayor shall make or cause to be made an examination of such building or structure for the purpose of ascertaining whether the same is properly constructed and is provided with the proper means of ventilation and means of ingress and egress to afford adequate accommodation for the maximum number of persons which may or might at any time be present in such building or structure at any entertainment produced, offered, or presented therein. If the mayor shall be so satisfied he shall issue or cause to be issued to such applicant a license, attested by the city clerk, which shall be delivered to such applicant upon the payment to the city collector of an annual license fee of five hundred dollars. Such license shall entitle the licensee to present, offer, produce, or conduct entertainments of any of the various classes herein defined and specified except entertainments of the first, fourth, and ninth classes, at the place designated in such license, for and during the period thereof; and any such entertainment offered, presented, produced, or conducted in such building or structure shall be exempt from the payment of any license fee or charge provided in this chapter to be made for the production of any such entertainment when not given in a licensed place.

Entertainments of the first class may be produced, offered, presented, or conducted at any time in any such building or structure if such building or structure be built, constructed, maintained, and conducted in accordance with the provisions of articles VII. and VIII. of chapter XV. of this ordinance relating to buildings used wholly or in part for the purposes of classes IV. and V., as said classes are defined in said articles and chapter; and in such case any such entertainment of the first class so offered, produced, or presented shall be exempt from the payment of any special or additional license fee for such entertainment.

Entertainments of the fourth class may be given, conducted, or carried on in any such building or structure upon a special permit issued for that purpose by the mayor and the payment to the city collector of a license fee for such entertainment at the rate of one hundred dollars a day for each day or part thereof that such entertainment of the fourth class shall be given, conducted, or carried on in any such building or structure.

Entertainments of the ninth class may be given, conducted, or carried on in any such building or structure upon a special permit

issued for that purpose by the mayor and the payment to the city collector of a license fee for such entertainment at the rate of ten dollars a day for each day or part thereof that such entertainment of the ninth class shall be given, conducted, or carried on in any such building or structure.

**108. Halls for entertainments of thirteenth class — license — fee.]**

If any person or corporation the owner, lessee, manager, or agent of any hall designed or intended to be used or which is used for the purpose of giving, carrying on, or conducting entertainments of the thirteenth class, desires to secure a license for such hall so that entertainments of the thirteenth class as herein defined and specified may be given, conducted, or carried on therein, without the payment of a license fee for such entertainment, such person or corporation may be granted a license for such hall under the following conditions:

Such person or corporation shall make an application in writing to the mayor setting out his full name and residence, if an individual, and the full name and residence of its principal officers, if a corporation, together with the location and description of the hall and the seating capacity of the hall for which it is desired to secure a license; and thereupon the mayor shall make or cause to be made an examination of such hall for the purpose of ascertaining whether the same is constructed and is being maintained in accordance with the provisions of article VII. of chapter XV. of this ordinance relating to buildings used wholly or in part for the purposes of class IV. as said class is defined in said article and chapter. If the mayor shall be so satisfied he shall issue or cause to be issued to such applicant a license attested by the city clerk, which shall be delivered to such applicant upon the payment to the city collector of an annual license fee as hereinafter specified. Such license shall entitle the licensee to give, conduct, or carry on entertainments of the thirteenth class, at the place designated in such license, for and during the period thereof; and any such entertainment given, carried on, or conducted in such hall shall be exempt from the payment of any license fee or charge provided in this chapter to be made for the production of any such entertainment when not given in a licensed place.

The fee to be charged for any such licensed place shall be as follows: if such hall shall have a seating capacity of not to exceed three hundred persons the annual license fee shall be twenty-five dollars. If such hall shall have a seating capacity exceeding three hundred and not exceeding five hundred persons the annual license fee shall be fifty dollars; if such hall shall have a seating capacity exceeding five hundred and not exceeding eight hundred persons the annual license fee shall be seventy-five dollars; if such hall shall have a seating capacity exceeding eight hundred persons the annual license fee shall be one hundred dollars.

**109. Base ball parks, athletic grounds, etc.—license.]** Any person or corporation the owner, lessee, manager, or agent of any base ball park, athletic grounds, or other like inclosure designed or intended to be used or which is used for the giving, conducting, or carrying on therein of entertainments of the seventh class, who desires to secure a license for such base ball park, athletic grounds, or other like inclosure so that any entertainment of the seventh class may be produced, given, conducted, or carried on therein, without the payment of a license fee for such entertainment, such person or corporation may be granted a license for such base ball park, athletic grounds, or other like inclosure under the following conditions:

Such person or corporation shall make an application in writing to the mayor setting out his full name and residence, if an individual, and the full name and residence of its principal officers, if a corporation, together with the location and description of the base ball park, athletic grounds, or other like inclosure for which it is desired to secure a license; and thereupon the mayor shall make or cause to be made an examination of such base ball park, athletic grounds, or other like inclosure for the purpose of ascertaining whether the same is properly inclosed and whether the grandstand, if any, or other seating facilities provided are constructed in a safe and suitable manner for the purposes they are designed to be used for, and whether such base ball park, athletic grounds, or other like inclosure is so located as not to prove a nuisance, and whether the same is provided with proper means of ingress and egress to afford adequate accommodation for the maximum number of persons which may or might at any time be present in such base ball park, athletic grounds, or other like inclosure at any entertainment given, conducted, or carried on therein. If the mayor shall be so satisfied he shall issue or cause to be issued to such applicant a license attested by the city clerk, which shall be delivered to such applicant upon the payment to the city collector of an annual license fee in an amount hereinafter specified. Such license shall entitle the licensee to give, conduct, or carry on at the place designated in such license, entertainments of the seventh class, for and during the period thereof.

**110. Fee.]** The fee to be charged for such license shall be as follows: if such base ball park, athletic grounds, or other like inclosure shall have seats provided for the accommodation of three thousand or more persons the annual license fee shall be three hundred dollars; if such base ball park, athletic grounds or other like inclosure shall have seats provided for the accommodation of less than three thousand persons the annual license fee shall be one hundred dollars.

**111. License to be posted.]** Every license issued under the provisions of this chapter shall at all times during the life thereof be posted in a conspicuous place at or near the principal entrance of the

premises described in such license, so that the same may be easily seen and read by any person passing in or out of such premises.

**112. License issued for part of year—fee.]** Where any license is issued under the provisions of sections 105, 107, 108 and 109 of this ordinance, if less than six months of the annual license period shall have expired at the time of the issuance of such license, the full annual license fee shall be charged therefor; if more than six months of the annual license period shall have expired one half the full annual license fee shall be charged. In no event shall any such license be issued for any part of a license year for a less sum than one half the full annual license fee.

**113. Entertainment defined.]** The word "entertainment" wherever used in this chapter shall be taken to mean and include theatricals and other exhibitions, shows, and amusements, wherein or whereby any person or persons shall act, play, or perform any play, opera, or other dramatic or musical composition, or give performances of any kind, or give any show or public exhibition for gain.

**114. License subject to ordinances.]** Every license granted under the provisions of this chapter shall at all times be subject to the ordinances of the city existing when the same shall be issued, or which shall thereafter be passed, so far as the same shall apply.

**115. Prohibitions in licenses—revocation.]** All licenses for entertainments, where a license is required, shall contain a proviso that no gaming, raffle, lottery, or chance gift distribution of money or articles of value shall be connected therewith or allowed by the person obtaining said license, or in any wise permitted or held out as an inducement to visitors; such license shall also state the number of persons such licensed theatre, hall, building, or place has accommodations for, and no more than that number shall be allowed to occupy such theatre, hall, building, or place at any one time; and when any licensed person or corporation shall be charged with having violated the provisions of his or its license as aforesaid, the mayor is directed to give the parties accused reasonable notice thereof, and inquire into the truth of said charge; and if the accusation be sustained to his satisfaction he may revoke the license of any such person or corporation, and every such person or corporation so offending shall be subject to a penalty of not more than one hundred dollars.

**116. Carousell—conditions.]** No license shall be issued to any person or corporation to conduct in any building which fronts on any street, a place of amusement wherein an apparatus commonly known as a carousell or merry-go-round is operated, unless the applicant for such license shall present to the mayor a written consent or petition favorable to the same from persons owning a majority of the frontage of lots on the same street or streets within two hundred and fifty feet on each side of the lot or lots upon which such building is located,

and like consent from the owners of a majority of the five hundred feet of frontage on the opposite side of the street or streets, determined by measuring two hundred and fifty feet each way from a point opposite the middle of the frontage of the land upon which said building is located.

**117. Intoxicating liquors.]** It shall not be lawful for any person to sell or give away any spirituous, vinous, malt, or other intoxicating liquors, in any theatre, hall, building, structure or premises in which public entertainments are given for gain, nor in any room or rooms connected with the same, without a special permit from the mayor, under a penalty of not more than one hundred dollars for each offense.

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## ARTICLE II.

### SCALPING OF THEATRE TICKETS PROHIBITED.

**118. Diagram of seats sold and for sale to be displayed.]** It shall be the duty of every person or corporation managing, conducting, or operating a place of amusement in the city to have marked and exhibited at the box office, ticket office, and other offices and places where tickets of admission to such place of amusement are sold or offered for sale, at all times when such offices or other places are open for the business of selling or offering for sale such tickets, a chart or charts, diagram or diagrams, plainly showing all the seats in such place of amusement and the price for which the same are to be sold. Such chart or charts, diagram or diagrams, shall from time to time, as sales of reserved seats are made, be marked so as to show how many of such reserved seats have been sold for each entertainment, performance, or exhibition for which tickets of admission thereto of any kind are then for sale.

**119. Tickets to be marked, showing price and date—notice of revocation.]** Every ticket of admission to any place of amusement shall have conspicuously printed upon its face the price thereof, the date for which the same is issued, and if there is more than one entertainment or exhibition on such date there shall be plainly indicated thereon the particular performance for which such ticket is issued. Every such ticket shall also have printed thereon a notice that such ticket is a revocable license and will not be recognized or received for admission to such place of amusement if bought from any broker, speculator, scalper, or other person engaged in the business of buying or selling tickets of admission to places of amusement at more than the price printed thereon.

**120. Tickets bought from scalpers void.]** Every person or corpo-

ration conducting, operating, or managing any place of amusement in the city, and every officer, agent, or employe thereof, shall refuse to recognize or receive any ticket of admission to such place of amusement bought from any such broker, speculator, scalper, or other person engaged in the business of buying or selling tickets of admission to places of amusement at a premium over the regular price thereof, upon presentation of the same, if such person, corporation, officer, agent, or employe knows of the unlawful purchase of such ticket.

**121. Scalping forbidden.]** It shall be unlawful for any person or corporation to sell or to engage in the business of selling at a premium or at a higher price than the price printed thereon, any ticket of admission to any place of amusement, whether such selling be his or its regular business, or be engaged in occasionally or incidentally in connection with some other business.

No person or corporation conducting any such place of amusement, or any officer, agent, or employe thereof, shall directly or indirectly offer to sell, sell, consent to sell, or permit to be sold, any ticket of admission to any place of amusement to any broker, speculator, scalper, or other person, regularly, occasionally, or incidentally engaged in the business of selling any such tickets of admission for re-selling at an increased price above that printed thereon.

It shall be unlawful for any person or corporation to engage as a broker, speculator, or scalper in the business of selling tickets of admission to any place or places of amusement at such increased price, in or on any street, sidewalk, alley, or public ground in the city.

**122. Penalty.]** Any person or corporation violating any of the provisions of this article or who fails to mark and exhibit, or who falsely marks, a chart or charts, or diagram or diagrams, or who directly or indirectly connives at the sale of any ticket or tickets of admission to any place or places of amusement at an increased price over the regular price as printed thereon, shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense, and the sale of each ticket sold in violation of any provision of this article shall constitute a separate and distinct offense.

## CHAPTER VII.

### ART COMMISSION.

**123. Commission created.]** There is hereby created a commission which shall be known as the art commission of the city of Chicago, and such commission shall consist of the mayor, the president of the Art Institute of Chicago, the president of the board of commissioners of Lincoln Park, the president of the board of West Park commissioners and the president of the board of South Park commissioners, each of whom shall be *ex officio* a member of the said art commission, and three other persons to be appointed by the mayor; and the said three members to be appointed by the mayor shall be residents of the said city, and one of the said three members shall be a painter, one a sculptor and one an architect.

**124. Powers.]** The said commission shall proceed and act in accordance with the provisions of an act of the legislature entitled "An act to provide for the creation of art commissions in cities, and to define their powers," approved April 24, 1899; in force July 1, 1899.



## CHAPTER VIII.

### AUCTIONS AND AUCTIONEERS.

**125. License—fee—bond.]** Any person may become an auctioneer and be licensed to sell real and personal property at public auction, at a place to be named in his license, upon making application in writing to the mayor for a license and upon paying to the city collector the sum of three hundred dollars and executing a bond to the city, with sureties to be approved by the mayor, in the sum of one thousand dollars; such bond to be conditioned for the faithful observance of the ordinances of the city. No license shall be issued for any period of time for a less fee than three hundred dollars.

**126. Application, contents.]** Any person desiring to obtain a license as an auctioneer shall make application in writing to the mayor, setting forth in such application his name, place of residence, place of business, and the names of his sureties; and thereupon the mayor shall issue or cause to be issued a license to such applicant, attested by the city clerk, authorizing such applicant to act as an auctioneer in accordance with the provisions of this chapter for and during the period of such license.

**127. Penalty.]** Any person who shall sell or attempt to sell at public auction in this city any real or personal property of any kind whatsoever (except under and by virtue of legal process or under and by virtue of a mortgage), without first having obtained a license therefor as herein required, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

**128. Auctioneer to designate partners and clerks, if any.]** Every person licensed as an auctioneer shall at the time he receives his license, file with the city clerk a statement in writing, signed by him, designating his partner or partners, if any, and any clerk or clerks in his employ; and if at any time during the period of such license any change shall be made of partners or of clerks he shall file a statement with the city clerk forthwith, setting forth and giving the name or names of the new partner or partners or new clerk or clerks.

If any licensed auctioneer shall permit any person other than a co-partner or a clerk who shall have been duly designated by him in accordance with the provisions of this section to sell any article at auction at the place designated in such auctioneer's license, he shall forthwith forfeit his license and shall be fined not less than twenty-five dollars nor more than fifty dollars for each such offense.

**129. Provisions of this chapter to apply to copartners and clerks.]**

If any copartner or clerk of any person licensed as an auctioneer shall while acting as an auctioneer violate any of the provisions of this chapter or of any ordinance of the city governing or concerning auctioneers, such copartner or clerk shall be subject to all the penalties herein imposed upon licensed auctioneers for violations of any of the provisions of this chapter.

**130. Sales at auction elsewhere than at place designated in license prohibited except on special permit.]** No licensed auctioneer shall sell or offer for sale at public auction any real or personal property at or in any place, house, store, or building other than in the place, house, store, or building designated in his license and where he is authorized to act as auctioneer by such license, except upon a special permit therefor issued by the mayor.

Such special permit shall be granted only upon the applicant therefor making application in writing to the mayor, setting forth in such application the place at which he desires to conduct an auction and the number of days to be occupied in making such sale or conducting such auction and the reason, if any, why such auction cannot be conducted at such auctioneer's place of business; and if such special permit shall be issued by the mayor the applicant therefor shall pay to the city collector at or before the delivery of such special permit, a fee, at the rate of ten dollars for each day or part of a day such sale shall occupy. No special permit shall be issued, however, for a less fee than ten dollars.

**131. Change of location of place of business.]** If after the issuance and delivery of a license under the provisions of this chapter any change be made in the location of the business covered thereby, no business shall be carried on or conducted at or in such new location under such license until a notice of such change shall have been given in writing by the licensee to the city collector.

**132. Right to return.]** The purchaser at an auction sale of any watch, plate, or jewelry shall have the right to return it to the auctioneer at any time within five days from the day of sale, if the watch, plate or jewelry be not of the quality represented to him, and the auctioneer shall return to the purchaser the price of the article. Should he refuse to do so, he shall forfeit his license and be liable to a fine of not more than fifty dollars. And it is hereby provided, that if it shall be made to appear, to the satisfaction of the mayor, that the place of sale, or the place of business, of any such auctioneer shall have been closed at any time during said five days, for the purpose of avoiding an offer to return any such article so sold, the mayor shall revoke the license of such auctioneer.

**133. Substitution.]** Any auctioneer who shall exhibit and offer for sale at auction any article, and induce its purchase by any bid-

der, and who shall afterward substitute any article in lieu of that offered to and purchased by the bidder, shall forfeit his license and be fined not more than fifty dollars.

**134. False representations.]** Any auctioneer or person being present when any real or personal property is offered for sale, who shall knowingly, with intent to induce any person or persons to purchase the same, or any part thereof, make any false representation or statement as to the ownership of, or the character or quality of, the property so offered for sale, or as to the poverty or circumstances of the owner or pretended owner of such property, shall be fined not more than fifty dollars; and if such false representation is made by such auctioneer, or by any other person with such auctioneer's knowledge and consent or connivance, the license of such auctioneer shall be revoked.

**135. Sales—terms—and conditions.]** It shall be the duty of every auctioneer before beginning any auction sale of real or personal property to state fully the terms and conditions upon which the sales will be made. Any auctioneer who shall fail to announce the terms and conditions of any auction sale of real or personal property before proceeding to sell, shall be fined not less than ten dollars nor more than fifty dollars for each offense.

**136. Sales—description.]** It shall be the duty of every auctioneer who shall offer for sale, real or personal property of any kind whatever, to announce to the persons present, before proceeding to sell same, the character, quality and description of the property offered for sale.

Any auctioneer who shall offer for sale any real or personal property without first announcing the character, quality and description of same, shall be fined not less than ten dollars nor more than fifty dollars for each offense.

**137. Fictitious bids.]** Any auctioneer who shall procure any person to make a fictitious bid at any auction sale of real or personal property, or who shall conspire with any person or persons to make a fictitious bid at any such auction sale, or who shall knowingly permit any person to make a fictitious bid at any such auction sale, or any auctioneer who shall himself fictitiously raise any bid at any such auction sale, shall be fined not less than ten dollars nor more than fifty dollars for the first offense, and shall on conviction thereof for a second or subsequent offense be fined the sum of one hundred dollars for such offense, and the license of such auctioneer shall be revoked.

**138. Sale on street forbidden.]** No real or personal property shall be sold at auction, or exposed for sale, by any auctioneer in any street, avenue, alley, or public place in the city.

**139. Noises prohibited.]** No bellman or crier, nor any drum or

fire, or other instrument of music, nor any show signal, or means of attracting the attention of the public, other than a sign or flag, shall be employed, or suffered or permitted to be used in connection with any auction sale at or near any place of such sale, or at or near any auction room.

**140. Penalty.]** Any person violating any of the provisions of this chapter, shall be fined not less than twenty-five dollars, nor more than fifty dollars, for each offense.

## CHAPTER IX.

### AUTOMOBILES.

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#### ARTICLE I.

##### BOARD OF EXAMINERS—LICENSE—OPERATION.

**141. Operator to be examined and licensed.]** No automobile, autocar or other similar vehicle shall be propelled or driven upon or along any street, alley or other public way in the city unless the person in charge or control of such vehicle, and who is acting as the operator thereof, and as such operator controls the means of propulsion of any such automobile, autocar or other similar vehicle, shall be a person duly examined in the manner hereinafter provided, and found competent and qualified to operate or drive such machine through the city streets without endangering the public safety.

**142. Definition of terms.]** For the purposes of this chapter the terms or names "automobile," "autocar" and "other similar vehicles," wherever and whenever used in this chapter, shall be held to embrace and mean, and are hereby defined to mean, any vehicle driven or propelled upon or along the streets, alleys or other public ways of the city, whether for purposes of business or pleasure, or for both, the motive power of which is electricity, compressed air, naphtha, gasoline, kerosene, steam or other motive power other than animal power or motive power supplied solely by the muscular exertion of a human being; provided, however, that nothing herein shall apply to the operation of any locomotive, grip car, trolley car or other vehicle used by any steam or street railway upon or along any track or tracks owned or lawfully used by any steam or street railway company.

**143. Board of examiners—duties—rules and regulations.]** The city electrician, the commissioner of health and the city engineer shall be and constitute *ex officio* a board of examiners, and such board of examiners shall be officially known as the board of automobile registry; the city electrician shall be the chairman of such board.

The board of automobile registry shall have the power and authority, and it is hereby made its duty, to examine into the qualifications and fitness of any person who may desire to operate or drive an au-

tomobile or other similar vehicle in the city, so that the safety and comfort of the general public shall not be endangered by the operation of such machines.

In examining persons who may apply for examination as to their capacity to operate or drive such machines within the city, the board shall enforce the following rules and regulations:

1. Such applicant must have the free and full use of both arms and both hands, and shall not be less than eighteen years of age.

2. Such applicant must have good eyesight. If the vision is corrected by glasses, such glasses must be securely fastened to the head by spectacle frames at all times while such applicant is operating his machine.

3. All applicants must have good hearing, must be free from epilepsy or heart disease and must not be addicted to the excessive use of alcoholic liquors nor of any injurious drugs.

4. Applicants must not be of reckless disposition nor subject to fainting fits.

5. Applicants must be able to guide such machines through crowded streets and thoroughfares; must be able to stop and turn suddenly and must show ability for quick and decisive handling of such machines in emergencies.

6. Applicants must state type of machine to be operated, the kind of motive power to be employed and the horse power, speed, weight, seating capacity and number and character of brakes attached; must describe all appliances of machine for stopping, turning and starting the same; and must show complete knowledge of and acquaintance with the machine to be operated and its method of operation under all conditions.

7. Applicants must state experience in operating such machines and record of accidents suffered, if any.

8. Applicants must be familiar with the ordinances of the city governing the use and operation of such machines and the use of public streets.

In addition to the foregoing requirements, applicants for examination shall also be subject to the following requirements:

**144. Application to operate steam automobiles.]** Applicants who desire to operate steam automobiles must be familiar with the class of boiler used and its construction; the pressure to which it has been tested; with what safety devices and indicating devices the same is equipped; they must also be familiar with the handling of gasoline, its uses and dangers, and with the method of getting up steam and starting such automobiles, as well as with a proper method of keeping the same clean and in good repair, in and out of use.

**145. Application to operate gasoline machines.]** Applicants who desire to operate gasoline machines must be familiar with the engines

and must answer all questions as to their capacity, the method of connecting the engine to the transmission gear, and how different speeds are obtained; they must also be familiar with all methods covering the reversal of such machines, the connection of levers, the handling of gasoline, and a proper method of keeping the machine clean and in running order.

**146. Application to operate electric machines.]** Applicants who desire to operate electric machines must be familiar with the use of the controller and the reversing switch and brakes and their location on machine; must know the different speeds; when the machine needs recharging; how to recharge same, and how and when the same should be inspected.

**147. Examinations, when held.]** Said board of automobile registry shall hold examinations as often as may be deemed necessary; setting apart, however, no fewer than two days per month for such examinations.

**148. Application—certificate—identification card.]** Every application for such examination and for a certificate of qualification shall be made upon a printed form furnished by the said board of automobile registry, and shall set forth the name, age, address, citizenship and occupation of such applicant. Any applicant who shall have been examined by the said board, according to said rules and regulations, and shall have been found to possess the necessary qualifications to operate or drive such machine, shall have issued to him, a certificate, or identification card, authorizing the person so examined and found capable, to act as an automobile operator, of the class and type of machine mentioned in his application, and which he may have been found competent and qualified to operate, and each such certificate or identification card so issued shall expire upon the 30th day of April next after the date of issue. The certificate or identification card so given shall bear a number assigned by the board of automobile registry; the name and address of such operator and the number given him, and the type of machine to be driven by him.

**149. License fee—renewal.]** In order to defray the expense of the examination herein provided for, each person applying to be so examined shall pay the sum of three dollars to the city. Any person having once received a certificate or card of identification under this chapter upon the expiration thereof may renew the same upon application to the board of automobile registry without another examination; Provided, however, that if his certificate or card of identification has been revoked since the last certificate or card of identification was issued, such applicant shall be re-examined to ascertain if a new certificate or card of identification should issue. Upon each renewal of a certificate or card of identification the same shall be entered in the registry book to be kept for such purpose in the of-

fice of the said board, and the person receiving any renewal of a certificate or card of identification shall pay to the city the sum of one dollar for the purpose of meeting the expense of such renewal.

**150. Certificate or card to be signed by board.]** Every certificate or identification card issued by the said board shall be signed by all or a majority of said board.

**151. Records of board—revocation of license.]** The said board shall cause to be kept a full and correct record of its official proceedings, including the names of the members of the said board; the name, age and residence of each applicant for a certificate, and the disposition made of each application; the number of certificates issued and name and address of person to whom issued, together with a description of the machine to be driven by such person; the number of certificates revoked and the cause of such revocation, together with the name and residence of the person whose certificate is revoked.

**152. Secretary—duties of.]** The mayor shall designate some employe in the classified service of the city to act as a secretary to the said board; and the said secretary shall perform such duties as he may be directed to perform from time to time by the said board, or any member thereof.

**153. Members of board to serve without compensation.]** The members of the said board shall perform all the duties herein provided for without further compensation than that paid them, or either of them, in their respective offices or positions under the municipal government.

**154. Speed regulations.]** No automobile, autocar or other similar vehicle shall be propelled or driven upon or along any street, alley or public way in the city at a speed exceeding ten miles per hour when proceeding in a direct course, nor at a speed exceeding four miles per hour when turning any street corner, and the operator of such vehicle, when such vehicle is in motion, shall observe the rules of the road as prescribed in this ordinance for other vehicles.

**155. Alarm bell—brakes—lamps, etc.—machinery not to run while vehicle is standing.]** Every automobile, autocar or other similar vehicle driven or propelled upon or along any street, or public way in the city shall be equipped and supplied with an alarm bell or gong of not more than four inches in diameter, and the same shall be sounded at street crossings and wherever and whenever else deemed advisable, by the operator of such vehicle, to be sounded for the purpose of notifying pedestrians or others of the approach of any such vehicle. Each automobile, autocar or other similar vehicle shall be equipped with at least two brakes or sets of brakes, one of which brakes or sets of brakes shall be independent of the driving gear of such vehicle when construction will permit. Either of such brakes



or sets of brakes shall be of sufficient power, when applied, to bring any such vehicle, when at a speed of ten miles per hour, to a full stop within ten feet from the point where such vehicle was when the brake was applied; and all such vehicles shall carry a lighted lamp or lamps, in a conspicuous position thereon, whenever in motion on any street, alley, or public way, and such lamps shall be kept lighted, during the period commencing with April 1st and ending Oct. 31st, from eight P. M. to daybreak, and during the period commencing Nov. 1st and ending March 31st, from 6 P. M. to daybreak. No part of the machinery of any automobile, autocar or other similar vehicle shall be permitted to run while such vehicle is standing in any street, alley or public way, without an attendant.

**156. Operation without license—penalty.]** No person shall operate, drive or propel any automobile, autocar or other similar vehicle upon or along any street, or other public way in the city without having first obtained a certificate or card of identification, as hereinbefore provided, and no person shall so operate any type or class of machine except the type or class of machine specified in his said certificate or card of identification. Any person violating any of the provisions of this chapter shall be fined not less than five dollars nor more than fifty dollars for each offense.

**157. Cause for revocation of certificate.]** Any person who shall have been certified as a fit person to run any such machine under the provisions of this chapter and who shall thereafter be fined for a breach of this chapter or of any ordinance that is now or may hereafter be in force requiring the numbering of such machines, or regulating the operation thereof, shall have his certificate revoked by the mayor upon recommendation of the said board.

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## ARTICLE II.

### IDENTIFICATION.

**158. Numbers and letters.]** All automobiles, autocars and other similar vehicles, operated in the city, shall display identification numbers or letters as herein provided. Such numbers or letters shall not be less than five inches high, and the line marking the number or letters shall be white and be five-eighths of an inch wide at every point, and such numbers or letters shall be placed at least three-fourths of an inch apart.

**159. Signs and placques—how attached to vehicle—numbers—where displayed—style of.]** All such numbers shall be painted on signs or placques. of wood, metal or leather, of dark color,

chosen and prepared by the board of automobile registry, and shall be furnished and delivered to the persons applying for the same by the said board. The letters shall be painted on similar signs or plaques, or directly on the vehicle itself, provided that the vehicle be painted black at this particular place; such signs or plaques for such letters, however, shall not be furnished by said board, but shall be obtained by the owners of such automobiles, autocars, or other similar vehicles, and approved by the board. All such signs or plaques for numbers and letters shall be so attached to the automobiles, autocars, or other similar vehicles, that they will not sway in any direction independently of the motion of such automobiles, autocars, or other similar vehicles. Such numbers and letters shall be displayed on the rear of the vehicles, in plain sight, as nearly as possible in the middle thereof, and shall be low enough so as not to be hidden by the hood or any other obstruction on the vehicle.

The numbers shall be of Arabic numerals and the letters in plain capital type.

**160. Classification of automobiles.]** For the purposes of this chapter all automobiles, autocars or other similar vehicles, are hereby divided into two classes:

Class A. Private automobiles.

Each such vehicle shall display a number as herein provided.

Class B. All public automobiles engaged in the transportation of passengers, merchandise, or any other business purpose for hire or reward.

Each such vehicle shall display a number as herein provided, and in addition thereto shall display a letter or letters of similar size and design which shall indicate the person, or corporation by whom such vehicle is owned, and such letter or letters shall be registered or recorded in the office of the board of automobile registry as being the designating letter or letters of such owner.

**161. Register of numbers—renewal of numbers each year.]** Any person desiring to operate or use an automobile, autocar or other similar vehicle in the city shall apply to the said board to assign him a number in conformity with the provisions of this chapter. The name and address of such applicant shall be registered in a record-book kept in the office of said board for such purpose, and a number shall be assigned to such person and furnished him as hereinbefore provided, and the number registered in such record-book opposite the name of such person.

Such number shall be shown by such person on his automobile, autocar or other similar vehicle, as required herein, until the 30th day of April next after the date of such application, when such person shall again apply to such office for a number to be shown on such

person's automobile, autocar or other similar vehicle, as herein provided, for the succeeding year and until the 30th day of April thereafter; the number provided herein to be used only during the license year for which it was issued, it being intended that each vehicle provided for in this chapter shall be identified by one number good until the 30th day of the following April, and that a new number shall be taken out for each license year that any such vehicle is operated.

**162. Fee to be paid before application for number.]** To provide for the expense of such assignment of numbers and such registration, each person so applying for a number shall pay to the city at the time of so applying the sum of one dollar. Such payment of one dollar shall be required of the person applying for such number each time such application is made.

**163. Lights at rear of machines and on numbers.]** All automobiles, autocars or other similar vehicles, when in use on the streets, shall have and keep lighted a lamp or lamps or a lantern or lanterns, from sunset to daybreak, which shall throw a red light directly to the rear of the machine, and a white light on the letters and numbers, in such manner as to make such letters and numbers plainly visible and legible during the hours specified.

**164. Penalty.]** Any person or corporation, violating, disobeying, neglecting or refusing to comply with any of the provisions of this chapter, or any person or corporation using or displaying a number on an automobile, autocar or other similar vehicle, not issued and assigned by said board during the year in which it is used or displayed in accordance with the provisions of this chapter, shall be fined not less than five dollars nor more than twenty-five dollars for each offense, and in the discretion of the mayor may be subject to a revocation of the certificate or card of identification held by the person operating any such automobile, autocar or other similar vehicle at the time of any violation of any of the provisions of this chapter.

## CHAPTER X.

### BILLIARD AND POOL TABLES, BOWLING OR PIN AND BALL ALLEYS.

**165. License required.]** No person shall have, keep or conduct for profit within the city any billiard or pool table, bowling or pin and ball alley, without first obtaining a license therefor as herein-after provided, under a penalty of not less than five dollars nor more than one hundred dollars for each offense. Any billiard or pool table kept, used or operated in any saloon or bar room or in any room or place conducted or used as an adjunct or part of any saloon or bar room, the use of which table is permitted to the patrons or customers of such saloon or bar room, shall be licensed under the provisions of this chapter, whether a fee is charged for the use of such table or not.

**166. License—fee.]** Any person desiring to have, keep or conduct any billiard or pool table or any bowling or pin and ball alley for profit in the city, and desiring to be licensed under the provisions of this chapter, shall make written application for such license to the mayor, setting forth in such application the full name of the applicant and the place at or in which such billiard or pool table or bowling or pin and ball alley is to be kept, used or operated; and upon payment by such applicant to the city collector of a license fee of ten dollars for each such billiard or pool table and each such bowling or pin and ball alley which such applicant desires to so keep, use or operate, the mayor shall issue or cause to be issued to such applicant a license attested by the city clerk authorizing the keeping, conducting or operating of such billiard or pool table or tables or such bowling or pin and ball alley or alleys, as the case may be, at the place described in such application, for and during the term of such license. If at the time such application be made, less than six months of the current license year shall have expired, the full fee of ten dollars shall be charged for each such pool or billiard table and each such bowling or pin and ball alley. If more than six months of such current license year shall have expired, a license fee of five dollars shall be charged for each such billiard or pool table and each such bowling or pin and ball alley for such portion of the current license year as shall remain unexpired. No license shall be issued when less than six months of the current license year shall have expired for a less fee than ten dollars, and no license shall be issued

when more than six months of the current license year shall have expired for a less fee than five dollars.

**167. Bowling alleys—frontage consents.]** It shall not be lawful for any person or corporation to keep, use or operate any bowling or pin and ball alley or alleys in any building, structure or place located upon any street or alley in the city in any block in which two-thirds of the buildings on both sides of the street in such block between the two nearest intersecting streets are used exclusively for residence purposes, without the written consent of a majority of the owners of the property, according to frontage, on both sides of such street or alley between such intersecting streets. Such written consent shall accompany the application made to the mayor for a license.

**168. Minors not to play—penalty.]** No person who keeps, conducts or operates any billiard or pool table for profit, or who keeps, conducts or operates any room or rooms wherein is kept, used or operated for profit any billiard or pool table of any kind whatsoever, shall permit or allow any minor under the age of eighteen to play thereon, or to use any such table, or to be or remain in or frequent any such room, under a penalty of not less than ten dollars nor more than fifty dollars for each offense. Any such minor under the age of eighteen who may be found playing upon or using any such billiard or pool table, or found in any such billiard or pool room in the city shall be fined not less than five nor more than fifty dollars for each offense.

## CHAPTER XI.

### BILL POSTERS AND POSTING.

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#### ARTICLE I.

##### BILL POSTERS.

**169. License.]** No person, or corporation shall carry on the business of bill posting within the city without first having obtained a license, as hereinafter provided.

**170. Application.]** Any person or corporation desiring to carry on the business of bill posting or of a bill poster, shall file with the mayor an application in writing containing the name and residence of the person or, if a corporation, the name and residence of its principal officers, and the location of the place of business, for which such license is desired.

**171. Fee—exception.]** Upon the payment to the city collector of a license fee at the rate of one hundred dollars per annum, any such applicant shall be entitled to a license to carry on such business as aforesaid: Provided, however, that any person carrying on the business of bill posting, who does not use a horse and wagon or other vehicle in his said business, shall be charged for such license at the rate of twenty-five dollars per annum.

**172. Plates on wagons—badges.]** Any person or corporation licensed to carry on, conduct, or engage in the business of bill posting and using a wagon or other vehicle in and about such business shall obtain from the city clerk at the time of the issuance of his or its license two painted metal plates, eight inches long and four inches wide, for each wagon or other vehicle to be used by him or it in and about such business. Such plates shall have stamped thereon a number corresponding to the number of such bill poster's license and the words "Chicago Bill Poster," together with the year for which such license is issued. Such plates shall be of a different color and design for each license year, and no person or corporation licensed as a bill poster and using a wagon or other vehicle in and about his or its business shall use any such wagon or other vehicle unless such plates shall be fastened on the outside of each side of such wagon or other vehicle, in a conspicuous place, so that the same may be easily seen;

and no such wagon or other vehicle shall have any metal plate affixed thereto for a license period or year other than the license period or year during and for which such metal plate was issued.

Every person or corporation engaged in, carrying on, or conducting the business of a bill poster and licensed under the provisions of this article shall provide each and every person engaged for him or it in the work of posting bills with a badge, to be worn by such person on the outside of his outside coat at all times while engaged in such business, in a conspicuous place, so that such badge may be easily seen. Such badge shall be obtained from the city clerk and shall have stamped thereon a number corresponding to the number of such bill poster's license or of the license issued to the person or corporation employing such person, together with the words "Chicago Bill Poster," and also the year for which such license was issued. Such badges shall be of a different color and design for each license year.

No person or corporation shall be permitted to post any bills anywhere in the city or to engage in the business of bill posting, whether such person be the licensee or a servant or agent thereof, unless the badge herein provided for be worn by the person engaged in the work of bill posting in accordance with the provisions of this article.

173. **Change of location.]** If after issuance and delivery of a license under the provisions of this article any change be made in the place of business covered thereby, no business shall be carried on in such new location under such license, until a notice of such change shall have been given in writing by the licensee to the city collector.

174. **Penalty.]** Any person or corporation, violating any of the provisions of this article, shall be fined not less than one hundred dollars nor more than two hundred dollars for each offense.

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## ARTICLE II.

### BILL POSTING.

175. **Where prohibited—penalty—prima facie evidence of violation.]** It shall be unlawful for any person to paste, post, print, paint, nail, or otherwise fasten any handbill, sign, poster, advertisement or notice of any kind whatsoever, or cause the same to be done on any curbstone, flagstone, or any other portion or part of any sidewalk or street, or upon any tree, lamp post, hitching post, telegraph pole, telephone pole, electric light pole, or pole used to support trolley

wires or other electrical conductors, hydrant, bridge, pier, or upon any structure within the limits of any street in the city except such as may be required by the ordinances of the city; and no person shall paste, post, paint, print, nail or otherwise fasten any handbill, sign, poster, advertisement or notice of any kind, or cause the same to be done, upon any private wall, window, door, gate, fence, advertising board or sign, or upon any other private structure or building, unless he is the owner, agent or lessee thereof, without the consent in writing of the owner of such wall, window, fence, gate, advertising board, or sign, or other private building or structure. When any handbill, sign, poster, advertisement, or notice of any kind shall be found pasted, posted, painted, printed, nailed, or otherwise fastened on any curbstone, flagstone, or any other portion or part of any sidewalk, or upon any tree, lamp post, hitching post, telegraph pole, telephone pole, electric light pole or pole used to support trolley wires or other electrical conductors, hydrant, bridge, pier, or upon any private wall, window, door, gate, fence, advertising board or sign, or other private building or structure in any way advertising any person or corporation, the finding of such handbill, sign, poster, advertisement or notice, shall be prima facie evidence that it was pasted, posted, painted, printed, nailed or otherwise fastened by the person or corporation thereby advertised. Any person or corporation violating any of the provisions of this section shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

**176. Medical advertisements prohibited—penalty.]** No person or corporation shall post or cause to be posted on any advertising wagons, or upon or in any place within the city where the same can be seen from the streets, alleys or other public places of the city, any advertisement, handbill or notice of any character whatsoever, giving or purporting to give information from whom or where medicine or remedies of any kind may be obtained for the cure, prevention or treatment of uterine diseases, or diseases peculiar to females; venereal diseases, or diseases of the genital organs; or nervous debility, impotence, sterility, or barrenness; gonorrhea, gleet, stricture, syphilis, affection of the prostate gland, abortion or miscarriage, or articles or means of preventing conception, under a penalty of not less than twenty-five dollars nor more than fifty dollars for each offense.

**177. Obscene or immoral pictures—penalty.]** No person or corporation, carrying on the business of bill posting, shall, within the city, post, or cause to be posted, so that the same can be seen from the streets, alleys or other public places of said city, any advertisement containing pictures or illustrations of an obscene or immoral character, under a penalty of not less than twenty-five dollars nor more than two hundred dollars for each offense.



## CHAPTER XII.

### BLASTING.

**178. Blasting unlawful.]** It shall be unlawful for any person or corporation to blast rock or stone within the city, except as herein provided.

**179. Permit required.]** Any person or corporation, desiring to blast rock or stone within the city shall apply in writing to the mayor for permission so to do, which permission shall be granted upon the applicant giving bond as hereinafter required.

**180. Bond.]** Such person or corporation shall execute a bond to the city with sureties to be approved by the commissioner of public works in the sum of ten thousand dollars, conditioned to indemnify, save and keep harmless the city from any loss, damage, expense or liability of any kind whatsoever which it may suffer or which may be charged to or recovered from said city from or by reason of any blasting, or anything done in and about such blasting, done under the authority of such permit; and conditioned further to indemnify any person for any damage done to or loss incurred by such person on account or by reason of any blasting done by any person, or corporation granted such permission; and conditioned further that the obligor in such bond will fully and in all things comply with the requirements of this chapter, as well as of all ordinances which may hereafter be passed regulating or relating to blasting. Such bond shall be filed with the commissioner of public works.

**181. Covering blast.]** In all cases of blasting rock or stone within the city, each blast, before firing, shall be securely covered with chain aprons, brush, or other materials, to be placed over and around it in such manner that all danger to persons and property shall be absolutely prevented.

**182. Notice of firing blast.]** Three minutes' notice before firing any blast shall be given by displaying a red flag on a staff, not less than ten feet high, set in a conspicuous place within twenty-five feet of the point where the charge is placed, and also by calling out the words "a blast," several times repeated, and loud enough to be distinctly heard at a distance of two hundred feet from the point of discharge. And it shall be the duty of the person in charge of such blast to see that the provisions of this section are complied with.

**183. Penalty.]** Any person or corporation who shall violate any of the provisions of this chapter, shall be fined not more than one hundred dollars for each offense.

## CHAPTER XIII.

### BREAD.

**184. Quality—weight.]** All bread baked, offered, or exposed for sale in the city shall be made of good, wholesome flour or meal and sold by avoirdupois weight.

**185. Size of loaves—brand.]** All bread shall be made into loaves of the following weights: loaves weighing on the first day they are exposed for sale one or one and one half pounds, two or two and one half pounds, three or three and one half pounds, four or four and one half pounds, five or five and one half pounds, six pounds, or less than one pound or more than six pounds, avoirdupois weight: and to each of such loaves shall be attached a label or tag plainly showing its weight and the name of the manufacturer thereof; Provided, however, that to each loaf weighing on the first day on which it is exposed for sale less than one pound avoirdupois there shall be attached on the top of such loaf a tag or label, which shall not be less than three inches square, and the letters or figures indicating said weight, and the name of the manufacturer of such loaf shall not be less than one and one half inches in length.

**186. Penalty.]** If any person or corporation shall make or sell or offer or procure to be sold any bread of any other than wholesome flour or meal or shall sell or expose for sale any bread contrary to the provisions of this chapter, such person or corporation shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

**187. License—application—penalty.]** It shall not be lawful for any person or corporation to carry on the business or trade of a baker or to engage in making bread for others, either in person or by employing any other person to carry on such trade or business under his or its direction or for his or its profit or benefit, within the city, without first having obtained a license for that purpose.

Application for such license shall be made in writing to the mayor, and upon payment to the city collector of a fee of five dollars a license shall be issued to the applicant by the city clerk. The application shall state the full name of the person or corporation desiring a license and the location of the place of business for which such license is desired.

Any person or corporation violating any of the provisions of this

section shall be fined not less than ten dollars nor more than twenty-five dollars for each offense.

**188. Change of location.]** If after the issuance and delivery of a license under the provisions of this chapter any change shall be made in the location of the place of business covered thereby, no business shall be carried on in such new location under such license until a notice of such change shall have been given by the licensee to the city collector.

**189. Entry to examine—seizure.]** It shall be lawful for the inspector of weights and measures or any member of the department of police duly authorized by the superintendent of police to enter, in the daytime, any house, store, shop, bakehouse, warehouse, or other building or premises where any bread is baked, stored, or deposited, or kept or offered for sale, and to view, try, and weigh all or any bread that shall be there found; and if there shall be found any bread made in violation of or contrary to any of the provisions of this chapter such officer may seize any such bread, and shall immediately enter complaint before some justice of the peace against the person or corporation guilty of such violation.

**190. Bread seized—how disposed of.]** Whenever any bread shall have been seized on account of a violation of any of the provisions of this chapter, such bread shall be taken immediately to the office of the superintendent of police and there deposited and kept, to be used on the trial of the person or corporation against whom complaint is made.

**191. Biscuits, buns, etc.]** The provisions of this chapter shall not apply to biscuits, buns, rolls, or fancy bread weighing less than a quarter of a pound.

## CHAPTER XIV.

### BROKERS.

**192. License—application—fee.]** It shall be unlawful for any person or corporation to engage in the business or act in the capacity of a broker, within the city, without first obtaining a license therefor.

Application for such license shall be made in writing to the mayor, and upon payment to the city collector of the sum of twenty-five dollars a license shall be issued to the applicant by the city clerk. Such application shall state the name of the person or corporation and the location of the place or places of business for which such license is desired.

**193. Change of location.]** If after the issuance and delivery of a license under the provisions of this chapter any change shall be made in the place or places of business covered thereby, no business shall be carried on in such new location until a notice shall have been given in writing to the city collector.

**194. Broker defined.]** A broker is one who is engaged for others in negotiating contracts relative to property with the custody of which he has no concern.

**195. Real estate broker defined.]** A real estate broker is one who is engaged for others in negotiating contracts relative to real estate.

**196. Insurance broker defined.]** An insurance broker shall include any and every person or corporation engaged for others in negotiating contracts for insurance on lives, buildings, vessels, or other property, either directly or through any other broker or through any insurance agent or with any insurance company other than an insurance company of which such person shall be an employee.

**197. Employees acting as brokers.]** Any person employed by a person or corporation licensed as a broker under the provisions of this chapter, who shall himself engage in the business or act in the capacity of a broker, shall notwithstanding the fact of such employment be amenable to all the provisions of this chapter and shall be required to take out a broker's license.

**198. Penalty.]** Any person or corporation violating any of the provisions of this chapter shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

## CHAPTER XV.

### BUILDINGS.

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#### ARTICLE I.

##### OFFICERS—POWERS AND DUTIES.

**199. Department of buildings established—officers.]** There is hereby established an executive department of the municipal government of the city, which shall be known as the department of buildings, and shall embrace a commissioner of buildings, a deputy commissioner of buildings, an assistant deputy commissioner of buildings, a civil engineer, a secretary to the commissioner, a chief building inspector, and such inspectors of elevators, inspectors of stand pipes and fire escapes, and inspectors of buildings, and such other assistants and employes as the city council may by ordinance provide.

**200. Building commissioner—office created—appointment—bond.]** There is hereby created the office of commissioner of buildings. He shall be the head of said department of buildings, and shall be an experienced architect, civil engineer, builder, or competent building mechanic, and shall have been engaged in the city as an architect, civil engineer, builder, or building mechanic for a period of ten years, and during his term of office as commissioner of buildings, he shall not be engaged in any other business.

He shall be appointed by the mayor, by and with the advice and consent of the city council.

The commissioner of buildings before entering upon the duties of his office shall execute a bond to the city in the sum of twenty-five thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**201. Powers—appointment of subordinates—duties of commissioner.]** He shall have the management and control of all matters and things pertaining to the department of buildings, and shall appoint, according to law, all subordinate officers and assistants in his department and may remove them according to law. All subordinate officers, assistants, clerks and employes in said department

shall be subject to such rules and regulations as shall be prescribed from time to time by said commissioner.

It shall be the duty of said commissioner to enforce all ordinances relating to the erection, construction, alteration, repair, removal or the safety of buildings.

**202. Precautions in behalf of public safety—may require repair or alteration in such cases.]** It shall be the duty of the commissioner of buildings, when any citizen represents that ashes or combustible materials are kept in any place in the city in an insecure manner, or that the doors, stairways, corridors, exits or fire escapes in any factory or workshop or other place of employment are insufficient for the escape of employes in case of fire, panic or accident, or do not comply with the provisions of this chapter; or that the funnels, flues, fire boxes or heating apparatus in any building in the city are insecure or dangerous, or that any part of any building in the city is in an unsafe or dangerous condition, or in any wise in contravention of this chapter, to make an examination of such place or building, and if such representation is found to be true, said commissioner shall give notice in writing to the owner, occupant, lessee or person in possession, charge or control of such place or building to make such changes, alterations or repairs as public safety or the ordinances of the city may require; and it shall be unlawful to continue the use of such building until the changes, alterations or repairs found necessary by the commissioner of buildings to make such building or part thereof safe or to bring it into compliance with this chapter, shall have been made.

**203. Inspection of all buildings in general use—must report all unsafe conditions—interpretation of this chapter.]** The commissioner of buildings shall inspect or cause to be inspected all public school buildings, public halls, churches, theaters and all buildings used either for manufacturing or commercial purposes, also all hotels, apartment houses and other buildings occupied by large numbers of people, for the purpose of determining the safety of such buildings, or any parts or appliances or equipment thereof; the sufficiency of their doors, passageways, aisles, stairways, corridors, exits or fire escapes and generally their facilities for egress in case of fire or other accident, and the strength of their floors, and shall make returns of all violations of the several provisions of this chapter to the law department for prosecution.

The commissioner of buildings shall have full power to pass upon any question arising under the provisions of this chapter subject to the conditions, modifications and limitations contained therein.

**204. Inspection of elevators — power to stop use of same.]** The commissioner of buildings shall have power to prohibit and stop the use of any passenger or freight elevator when any inspector of ele-

vators shall report to him that such elevator or the hoistway in which it is used is in a dangerous or unsafe condition. Such prohibition of use shall continue in force until such hoistway or elevator, or both, shall have been put in a safe condition, and certified to be safe after a proper inspection thereof by the inspector of elevators.

**205. Buildings found in unsafe condition—notice to owner—authority of commissioner.]** If the commissioner of buildings shall find in the city any building or structure or part thereof in such an unsafe condition as to endanger life, but so that, by the immediate application of precautionary measures such danger may be averted, he shall have authority, and it shall be his duty, to forthwith notify in writing, the owner, agent, or person in possession, charge or control of such building or structure or part thereof to adopt and put into effect such precautionary measures as may be necessary or advisable in order to place such building or structure or part thereof in a safe condition. Such notice shall state briefly the nature of the work required to be done, and said commissioner shall specify in such notice a time within which the work required to be done shall be completed by the person notified, such time to be fixed by said commissioner upon taking into consideration the condition of such building or structure, or part thereof, and the danger to life or property which may result from its unsafe condition.

If the owner, agent or person in possession, charge or control of such building or structure, or part thereof, when so notified, shall fail, neglect or refuse to place such building or structure, or part thereof in a safe condition, and to adopt such precautionary measures as shall have been specified by said commissioner within the time specified in such notice, in such case, at the expiration of such time, it shall be the duty of said commissioner to proceed forthwith to do or cause to be done any and all work necessary to place such building or structure, or part thereof, in a safe condition.

If the said commissioner shall be unable to find the owner of such building, structure, or part thereof, or any agent or person in possession, charge or control thereof, upon whom such notice may be served, he shall place or cause to be placed the notice herein provided for, upon such building at or near its principal entrance, and if, at the expiration of the time specified in such notice for the completion of the work required to be done the terms of such notice shall not have been complied with, it shall be the duty of the commissioner to thereupon proceed and do such work in the same manner as has hereinbefore been provided in cases of refusal, neglect or failure on the part of the owner, agent or person in possession, charge or control of any such building, structure or part thereof, when so notified.

If, in accordance with the provisions of this section, the work of

placing any building, structure or part thereof in a safe condition shall devolve upon the said commissioner, and it shall appear that such building, structure or part thereof is in such a condition as not to warrant the expenditure thereon of a sufficient sum of money to make such repairs or to do such work as is necessary to put it in a safe condition, the said commissioner shall have authority to tear down or destroy such building or structure or part thereof, and the expense of tearing down and destroying any such building or structure or part thereof and the expense of making any repairs or doing any work thereon shall be charged to the person owning or in possession, charge or control of such building or structure or part thereof, and the commissioner shall recover or cause to be recovered from such owner or person in possession, charge or control the cost to the city of doing such work.

**206. Building or part of building constructed in violation of chapter—authority of commissioner to tear down.]** If it shall be found that any building or structure or part thereof, is being, or shall have been, constructed or built in violation of any of the provisions of this chapter, the commissioner of buildings shall forthwith notify the owner, agent, superintendent or architect of, or the contractor engaged in erecting, such building or structure, or part thereof, of the fact that such building or structure, or part thereof, has been, or is being, constructed or erected contrary to the provisions of this chapter, and shall specify briefly in such notice in what manner the provisions of this chapter, or any of them, have been violated, and shall require the person so notified to forthwith make such building, structure, or part thereof, conform to and comply with the provisions of this chapter, specifying in such notice the time within which such work shall be done.

If, at the expiration of the time set forth in such notice, the person so notified shall have refused, neglected or failed to comply with the request made in such notice and to have such building or structure, or part thereof, concerning which notice was sent, changed so as to conform to and comply with the provisions of this chapter, the commissioner of buildings shall have the authority, and it shall be his duty, to proceed forthwith to tear down or cause to be torn down such building or structure, or such part thereof as shall or may have been erected and constructed in violation of the provisions or any of the provisions of this chapter, and the cost of such work shall be charged to and recovered from the owner of such building or structure or from the person for whom such building or structure is being erected.

**207. May direct fire department to remove.]** The commissioner of buildings shall also have authority to direct the fire department, after written notice has been served upon the owner, lessee, occu-



pant, agent or person in possession, charge or control, personally, to tear down any defective or dangerous wall or any building or any part thereof which may be constructed in violation of the terms of this chapter. In case of the destruction, or partial destruction, of buildings by fire or by the action of the elements, when any department of the city government, pursuant to the ordinances of the city, shall make any outlay of money or incur any liability for the payment of any expense on behalf of the city in an effort to preserve or prevent the destruction of any such building or buildings, or for the preservation of the life or health of its citizens, it shall be the duty of the commissioner of buildings to ascertain the amount of such outlay or expenditure and present a bill therefor to the owner or owners of any such building or buildings, or his or their agent or agents, and it shall be the duty of the said commissioner of buildings to refuse to issue a permit for the reconstruction, alteration or repair of any such building or buildings by such owner or owners until such outlay or expenditure shall be repaid to the city by the owner or owners of such building or buildings so totally or partially destroyed in the manner aforesaid. Said commissioner shall also proceed forthwith to collect from such owner or owners, by appropriate proceedings, the amount of such bill.

**208. May make rules for construction of buildings and control of employes.]** The commissioner of buildings shall institute such measures and prescribe such rules and regulations for the control and guidance of his subordinate officers and employes as shall secure the careful inspection of all buildings while in process of construction, alteration, repair or removal and the strict enforcement of the several provisions of this chapter.

**209. May stop construction.]** Said commissioner shall have power to stop the construction of any building or the making of any alterations or repairs of any building within said city when the same is being done in a reckless or careless manner or in violation of any ordinance, and to order, in writing or by parole, any and all persons in any way or manner whatever engaged in so constructing, altering or repairing any such building, to stop and desist therefrom.

**210. Arbitration—appeal from decision.]** In cases where discretionary power to estimate damage to frame buildings is given the commissioner of buildings, as also in questions relating to the security or insecurity of any building or buildings, or parts thereof, and in all other cases where discretionary powers are, by ordinance, given to the commissioner of buildings, an appeal to arbitration shall be allowed to parties believing themselves injured or wronged by the decisions of the commissioner of buildings, as follows, to wit:

**211. Appeal—limit of time of.]** Any person wishing to make such appeal shall do so within five days after written notice of the decision

or order of the commissioner of buildings has been given him. An appeal made later than five days after the serving of the notice of the commissioner of buildings shall not entitle the appellant to an arbitration. The request for arbitration shall be in writing and shall state the object of the proposed arbitration and the name of the person who is to represent the appellant as arbitrator.

**212. Appeal—cost of.]** The commissioner of buildings shall thereupon state to the appellant the cost of such arbitration, and such appellant shall, within twenty-four hours from the time of filing the original request for arbitration, deposit with the commissioner of buildings the sum of money required for defraying the expenses of the same, which sum shall in each case be fixed by said commissioner in proportion to the difficulty and importance of the case, but shall in no case be more than the cost of similar service in the course of ordinary business of private individuals or corporations. As soon as such sum of money shall have been deposited with him the commissioner of buildings shall appoint an arbitrator to represent the city, and the two arbitrators thus appointed shall, if they cannot agree, select a third arbitrator, and the decision of any two of these arbitrators shall, after investigation of the matter in question, be final and binding on the appellant as well as upon the city.

**213. Arbitrators to take oath—power to examine witnesses.]** The arbitrators shall themselves, before entering upon the discharge of their duties, be placed under oath to the effect that they are unprejudiced as to the matter in question and that they will faithfully discharge the duties of their position. They shall have the power to call witnesses and place them under oath, and their decision or award shall be rendered in writing both to the commissioner of buildings and to the appellant from his decision. The fee deposited by the appellant with the commissioner of buildings shall be paid by the commissioner of buildings to the arbitrators upon the rendering of their report and shall be in full of all costs incident to the arbitration; but should the decision of said board of arbitration be rendered against the commissioner of buildings, then the money deposited by the aforesaid appellant shall be returned to him, and the entire cost of such arbitration shall be paid by the city.

**214. In urgent cases—commissioner's power final.]** Whenever the decision of the commissioner of buildings upon the safety of any building or any part thereof is made in a case so urgent that failure to properly carry out his orders to demolish or strengthen such building or part thereof may endanger life and limb, the decision and order of the commissioner of buildings shall be absolute and final.

**215. Duty of police to assist commissioner in enforcing provisions of this chapter.]** Whenever it shall be necessary, in the opinion of the commissioner of buildings to call upon the department of police for

aid or assistance in carrying out or enforcing any of the provisions of this chapter, he shall have the authority so to do, and it shall be the duty of the department of police, or of any member of said department, when called upon by said commissioner, to act according to the instructions of, and to perform such duties as may be required by, said commissioner in order to enforce or put into effect the provisions of this chapter.

**216. Certificates—notices—register.]** The commissioner of buildings shall sign or cause to be signed all certificates and notices required to be issued from said department and keep a record of the same, and issue or cause to be issued all permits authorized herein. He shall also keep in proper books for that purpose a register of all transactions of the department of buildings, which such books shall be open to the inspection of the mayor, comptroller, superintendent of police, fire marshal and members of the city council at all times.

**217. Must keep account of fees paid—annual reports and estimates.]** Said commissioner shall keep, in proper books for that purpose, an accurate account of all fees paid, giving the name of the person paying same, date of payment and amount of each such fee. He shall also, annually, on or before the first day of February, in each year, prepare and present to the city council a report showing the receipts and expenditures and entire work of his department during the previous fiscal year, and he shall at the same time send to the comptroller a full and comprehensive statement of all matters pertaining to his department, together with an estimate in detail of the appropriations required by the department during the current fiscal year.

**218. Deputy commissioner of buildings.]** There is hereby created the office of deputy commissioner of buildings. He shall be appointed by the commissioner of buildings according to law. Whenever the commissioner of buildings shall make requisition upon the civil service commission of the city for a person to fill the office of deputy commissioner of buildings he shall notify the civil service commission that the person certified to fill said office should be a competent civil engineer, architect or builder.

**219. Duties—bond.]** Said deputy commissioner shall pass upon all questions relating to the strength and durability of buildings; shall examine and approve all plans before a building permit is issued for the construction of any building or structure; shall supervise and have charge of all books and records and the various inspectors employed in the department of buildings; shall receive, examine and file all reports made by them, and shall, under the direction and supervision of the commissioner of buildings, assign to such inspectors the work they are to perform. He shall have a book or books in which shall be recorded the location and character of every

building for which a permit is issued and a copy of every report of inspection made for such building, so arranged that the full history of the various inspections of the building shall appear therein in consecutive order, with the name of each inspector making the inspection thereof and the date of his report. He shall cause to be kept a record of all complaints of violations of the building ordinances, shall report the same to the commissioner of buildings and shall cause all such complaints to be investigated. He shall act as commissioner of buildings in the absence of the commissioner of buildings from his office, and while so acting shall discharge all the duties and possess all the powers invested in or imposed upon the commissioner of buildings.

He shall, before entering upon the duties of his office, execute a bond to the city in the sum of ten thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**220. Assistant deputy commissioner of buildings—bond.]** There is hereby created the office of assistant deputy commissioner of buildings. He shall be appointed by the commissioner of buildings according to law. Whenever the commissioner of buildings shall make requisition upon the civil service commission of the city for a person to fill the office of assistant deputy commissioner of buildings, he shall notify the civil service commission that the person certified to fill said office should be a competent civil engineer, architect or builder.

The assistant deputy commissioner of buildings shall, under the direction of the commissioner of buildings or the deputy commissioner of buildings, assist and aid the deputy commissioner in the performance of his duties.

The assistant deputy commissioner of buildings, before entering upon the duties of his office, shall execute a bond to the city in the sum of five thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**221. Secretary—duties.]** The commissioner of buildings shall appoint a secretary, according to law, whose duty it shall be to preserve and keep, under the supervision and direction of the deputy commissioner of buildings, all books, records and papers belonging to said office or which are required by law to be filed therein. The secretary shall deliver to the city council and to the respective departments all communications from said commissioner, in writing, and perform such services as may be required by said commissioner or deputy commissioner of buildings.

**222. Chief building inspector—bond.]** There is hereby created the office of chief building inspector. He shall be appointed by the com-

missioner of buildings according to law. Whenever the commissioner of buildings shall make requisition upon the civil service commission of the city for a person to fill the office of chief building inspector he shall notify the civil service commission that the person certified to fill said office should be a competent civil engineer, architect or builder.

The chief building inspector shall, under the direction of the commissioner of buildings, inspect and examine special cases of violations of the provisions of this chapter, damages to buildings by fire, the elements or accident of any kind whatsoever, and shall perform such other duties as may be required by the commissioner of buildings or the deputy commissioner of buildings. The chief building inspector, before entering upon the duties of his office, shall execute a bond to the city in the sum of five thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**223. Inspectors—not to engage in business.]** The inspectors of buildings, after their appointment to office, shall not be engaged in any other business or vocation.

**224. Inspectors—duties—reports—how made.]** The said inspectors shall, under the direction of the commissioner of buildings, examine all buildings in the course of erection, alteration, repair or removal throughout the city at least once a week, or as often as may be required for securing efficient supervision, and shall make written reports to said commissioner as to all violations of any ordinance of the city which the department of buildings is required to enforce, together with the street and number where such violations are found; the names of the owner, agent, lessee, or occupant thereof and of the architect, contractor and master mechanic engaged in or about the construction of such building, and all other matters relative thereto as far as they can ascertain them.

Inspectors of buildings shall file daily reports of their work of inspection, which shall be entered in the books to be kept for that purpose, and which shall be open to official inspection at all times.

**225. Inspection—record of—how made.]** The said inspectors shall examine all buildings and walls reported dangerous or damaged by fire or accident and make a record of such examinations, with the name of the street and number of the building and of the names of the owner, agent, lessee and occupant thereof.

**226. Alteration, enlargement or raising—inspection of—other duties.]** The inspectors of buildings shall examine all buildings for which an application to raise, enlarge or alter has been made, and shall make a written report upon the condition of the same to the commissioner of buildings before the permit is granted. Said inspectors shall perform such other du-

ties as may be required of them by said commissioner of buildings, the rules and regulations of the department of buildings, or the ordinances of the city.

**227. Powers—other.]** The commissioner and deputy commissioner of buildings, as well as the inspectors of buildings and of elevators, are empowered to enter any building, whether completed or in process of erection, for the purpose of determining whether the same has been or is being constructed in accordance with the terms of this chapter, and it shall not be lawful to exclude them from such buildings.

**228. Elevator inspectors—not to engage in business—duties.]** The inspectors of elevators shall not, after their appointment to office, be employed or engaged in any other business or vocation.

The inspectors of elevators shall perform such duties as may be required of them by the commissioner of buildings, the rules and regulations of the department of buildings or the ordinances of the city.

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## ARTICLE II.

### PERMITS, PLANS AND FEES.

**229. Permits—when required.]** Before proceeding with the erection, enlargement, alteration, repair or removal of any building in the city, a permit for such erection, enlargement, alteration, repair or removal, shall first be obtained by the owner or his agent from the commissioner of buildings, and it shall be unlawful to proceed with the erection, enlargement, alteration, repair or removal of any building or of any structural part thereof within the city unless such permit shall first have been obtained from the commissioner of buildings.

**230. Permits—limitation of time for.]** If, after a permit for the erection, enlargement, alteration, repair or removal of a building shall have been granted, the operations called for by the said permit shall not be begun within six months after the date thereof, or if such operations are not completed within a reasonable time, then such permit shall be void, and no operations thereunder shall be begun or completed until a new permit shall be taken out by the owner or his agent and fees as herein fixed for the original permit shall be paid for such new permit.

**231. Permits—application for—how made—how recorded—stamped plans—how cared for—return of same.]** Application for such permits shall be made by the owner or his agent to the commissioner of buildings. When such application is made plans and specifications

in conformity with the provisions of this chapter shall be filed with the commissioner of buildings, who shall then issue a permit, and shall file such application, and shall apply to such plans and specifications an official stamp, stating that the drawings and specifications to which the same have been applied comply with the terms of this chapter. The plans and specifications so stamped shall then be returned to such applicant. True copies of so much of such plans and specifications as may be required in the opinion of the commissioner of buildings to illustrate the features of construction and equipment of the building referred to, shall be filed with the commissioner of buildings and shall remain on file in his office until the completion or occupation of such building, after which such drawings and specifications shall be returned by the commissioner of buildings to the person by whom they have been deposited with him, upon demand. It shall not be obligatory upon the commissioner of buildings to retain such drawings in his custody for more than three months after the completion or occupation of the building to which they relate. The stamping of any plan shall not be held to permit or to be an approval of any violation of any section or provision of this chapter.

**232. Plans—essentials of.]** All such plans and drawings shall be drawn to a scale of not less than one-eighth of an inch to the foot, on paper or cloth, in ink, or by some process that will not fade or obliterate. All distances and dimensions shall be accurately figured, and drawings made explicit and complete, showing the entire sewerage and drain pipes and location of all plumbing fixtures within such building. Each set of plans presented shall be accompanied by a set of specifications describing all materials to be used in the proposed building, and both the plans and specifications shall be approved by the commissioner of buildings before a permit will be granted. No permit shall be granted or plans approved unless such plans shall be signed and sealed by a licensed architect, as provided in "An act to provide for the licensing of architects and regulating the practice of architecture as a profession in the State of Illinois," approved June 3, 1897. Provided, that permits may be granted for the erection of buildings of Class III., as hereinafter defined, if such buildings shall not be more than two stories in height and shall have a superficial area of not more than twelve hundred and fifty square feet outside dimensions, on plans approved by the commissioner of buildings, which plans need not be signed by a licensed architect.

**233. Plans—alterations upon stamped plans not permitted without permission—certain alterations excepted.]** It shall be unlawful to erase, alter or modify any lines, figures or coloring contained upon such drawings or specifications so stamped by the commissioner of

buildings or filed with him for reference. If, during the progress of the execution of such work, it is desired to deviate in any manner affecting the construction or other essentials of the building from the terms of the application, drawing or specifications, notice of such intention to alter or deviate shall be given to the commissioner of buildings, and his written assent shall first be obtained before such alteration or deviation may be made. Alterations in buildings which do not involve any change in their structural parts or of their stairways, elevators, fire escapes or other means of communication or ingress or egress and that are not in violation of any of the provisions of this chapter, may be made without the permission of the commissioner of buildings.

**234. Deposit with water department — how made — indemnifying bond—fees for water used.]** Before the commissioner of buildings issues a permit as aforesaid he shall require evidence from the applicant that payment has been made to the bureau of water of the city for the water to be used or for a water meter for measuring all the water to be used in the construction of such building, under the regulations of the bureau of water. Such applicant shall produce evidence that he has filed with and had approved by the commissioner of public works of the city an indemnifying bond protecting the city against any and all damage that may arise to the streets or alleys upon which such building abuts, and to the city and to any person in consequence, or by reason of, the proposed operations to be authorized by such permit, or by reason of any obstruction or occupation of any street or sidewalk in and about such building operations.

The fees to be paid for water used in connection with the erection of buildings shall be as follows, to wit:

For water to be used in connection therewith at the rate of five cents for every one thousand bricks, wall measure, used in the construction of a building.

At the rate of six cents for every one hundred cubic feet of rubble stone used in connection therewith.

At the rate of eight cents for every one hundred cubic feet of concrete used in connection therewith.

At the rate of fifteen cents for every one hundred yards of plastering used in connection therewith.

At the rate of five cents for every one hundred cubic feet of hollow tile arch, partition or fireproof covering used in any building.

**235. Permits—cost of.]** The fees to be charged for building permits shall be as follows: for sheds not exceeding three hundred square feet in area, two dollars; for open shelter sheds, at the rate of fifty cents for each one thousand cubic feet or part thereof; but in no case shall a permit be issued for a less fee than two dollars.

For all buildings other than sheds and open shelter sheds, as here-



inbefore described, the fee for the permit shall be at the rate of ten cents for every one thousand cubic feet or fractional part thereof contained therein, the cubic contents being measured to include every part of the building from the basement floor to the highest point of the roof and to include all bay-windows and other projections; but in no case shall any permit be issued for a less fee than two dollars.

**236. Permit for alterations and repairs—cost of.]** The fee to be charged for permits issued for alterations and repairs in or to any building or structure shall be as follows:

Where such alteration or repair shall equal fifty per cent or more of the original building or structure to be altered or repaired, or of such part or portion of such building or structure to be altered or repaired, the same fees shall be charged as if such permit were for the construction of a new building.

Where such work of alteration or repair shall be less than fifty per cent of the original building or structure or of the part or portion to be altered or repaired, the fee to be charged for a permit for such work shall be half that charged for the issuance of a permit for new work.

**237. Permit for raising wooden building—cost of.]** The fee for a permit to raise a frame building shall be one dollar.

**238. Permits for raising or moving buildings other than frame.]** The fee for a permit to raise or move a building other than a frame building shall be two dollars for every twenty-five feet, or fractional part thereof, of frontage, and when such building is to be moved from one location to another it shall be altered or reconstructed so as to conform to the ordinances governing the construction of such building at the time of moving the same.

**239. Permit—revocation of.]** If work in, upon or about any building shall be conducted in violation of any of the provisions of this chapter, it shall be the duty of the commissioner of buildings to revoke the permit for the building operations in connection with which such violation shall have taken place. It shall be unlawful, after the revocation of such permit, to proceed with such building operations unless such permit shall first have been reinstated or reissued by the commissioner of buildings. Before a permit so revoked may be lawfully reissued or reinstated the entire building and building site shall first be put into condition corresponding with the requirements of this chapter, and any work or material applied to the same in violation of any of the provisions of this chapter shall be first removed from such building.

## ARTICLE III.

## CLASSIFICATION OF BUILDINGS.

**240. Buildings—classes of.]** All buildings (other than sheds and shelter sheds as hereinafter described), now existing or hereafter constructed, altered or enlarged within the city shall be classified as follows:

**241. Class I.]** In Class I. shall be included every building used for the sale, storage or manufacture of merchandise, other than department stores, as described in section 247 of this chapter, and all stables covering or occupying a ground area of over five hundred square feet.

**242. Class II.]** In Class II. shall be included every office building, hospital and every building used for hotel purposes or for boarding or lodging-house purposes where such building so used for hotel or boarding or lodging-house purposes is occupied by twenty or more persons.

**243. Class III.]** In Class III. shall be included every building used as a family residence, also every building used for stabling purposes where such building so used shall occupy a ground area of less than five hundred square feet.

**244. Class IV.]** In Class IV. shall be included every building used as an assembly hall, whether such hall is used for the purpose of worship, instruction or entertainment, unless such building is used for any of the purposes for which buildings of Class V. or Class VIII. are used.

**245. Class V.]** In Class V. shall be included every building which is used as a public theater where an admission fee is charged and in which movable scenery is used; Provided, however, that public halls and club halls with a seating capacity of less than six hundred, although occasionally used for theatrical representations, shall not be construed to be public theaters within the meaning of the term as used in this section, notwithstanding the fact that movable scenery is used upon the stage thereof on such occasions, and such public halls and club halls shall not be considered as buildings of Class V. as herein defined. Such public halls and club halls shall be included in Class IV. as defined in section 244 of this chapter.

**246. Class VI.]** In Class VI. shall be included every tenement and apartment house; that is to say, any house or building or portion thereof which is used as a home or residence for two or more families living in separate apartments.

**247. Class VII.]** In Class VII. shall be included all buildings used for the sale at retail of dry goods and other articles of general

merchandise and commonly known and described as "department stores."

**248. Class VIII.]** In Class VIII. shall be included every building used exclusively for school purposes.

**249. Buildings used for the purposes of more than one class.]** Where any building is used for the purposes of two or more classes as herein specified and defined, such portion of any such building as is devoted to the uses and purposes of any particular class shall be constructed, operated and maintained in accordance with the requirements of this chapter relating to such class, unless such construction shall prove impracticable or unless there would be a conflict between the provisions of this chapter relating to the construction of buildings; in either of which such cases the provisions relating to and governing the construction of buildings of the class requiring the best and safest form of construction shall govern.

**250. Conflict between special and general provisions.]** Whenever any provision or requirement of this chapter relating specifically to the construction, equipment, maintenance or operation of any building or part of a building used for the purposes of any specified class shall conflict with the general provisions of this chapter relating to the construction, operation and equipment of buildings generally, the special provisions shall govern in each case, except in the case of section 634, which shall govern in all cases coming within its provisions.

#### ARTICLE IV.

##### PROVISIONS RELATING SOLELY TO CLASS I.

**251. Walls of Class I.—thickness of.]** The thickness of surrounding walls and of all dividing walls in every building used wholly or in part for the purposes of Class I. shall be made as indicated in the following table, to wit:

Renewing table, 15' x 10'.		STORIES											
	Basement.	1	2	3	4	5	6	7	8	9	10	11	12
One-story . . . . .	12	12											
Two-story . . . . .	16	12	12										
Three-story . . . . .	16	16	12	12									
Four-story . . . . .	20	20	16	16	12								
Five-story . . . . .	24	20	20	16	16	16							
Six-story . . . . .	24	20	20	20	16	16	16						
Seven-story . . . . .	24	20	20	20	20	16	16	16					
Eight-story . . . . .	24	24	24	20	20	20	16	16	16				
Nine-story . . . . .	28	24	24	24	20	20	20	16	16	16			
Ten-story . . . . .	28	28	28	24	24	24	20	20	20	16	16		
Eleven-story . . . . .	28	28	28	24	24	24	20	20	20	16	16	16	
Twelve-story . . . . .	32	28	28	28	24	24	24	20	20	20	16	16	16

Provided, however, in buildings of steel skeleton fireproof construction, thickness of walls shall be governed by section 510 of this chapter.

**252. Buildings—height and construction of.]** Buildings of Class I. which are one hundred feet or more in height shall be built entirely of fireproof construction.

Buildings of Class I. less than one hundred feet and more than sixty feet in height shall be built entirely of slow-burning, mill or fireproof construction.

No building of Class I. more than five stories in height shall be permitted to be built of ordinary construction.

**253. Walls—exception to table of thickness of.]** If buildings of Class I. are erected of less depth than one hundred feet from front to rear or between cross walls, or if the walls supporting their floors and roofs are less than twenty-five feet apart, the thickness of the walls given in the aforesaid table may be reduced by four inches, excepting only that no wall in such buildings shall be less than twelve inches thick.

**254. Walls—metal lath, and solid cement plaster covering.]** A one or two-story building used for the purposes of Class I., no part of which is within twenty feet of any lot line, alley line or street line, having a complete self-supporting steel frame consisting of wall columns, supporting steel trusses, with steel trusses and steel diagonals designed to resist safely within the safe limits of stress provided by this chapter a wind pressure of thirty pounds per square foot for each and every exterior surface exposed to the wind, in addition to the dead weight of the completed structure and in addition to the live load of one hundred pounds per square foot provided for by this chapter and any other live loads which may be imposed on said structure, may have exterior walls measuring not less than one and one-third inches thick of metal lath or metal fabric plastered on both sides with a mortar consisting only of Portland cement and torpedo sand. A complete reinforced concrete framework built in every manner equally as strong and as safe as provided for a steel frame in this section may have exterior walls built in the same manner of the same materials and of the same thickness.

**255. Door openings at street level—Class I.]** The aggregate width of door openings at the street level in buildings of Class I. shall be equal to the aggregate width of stairways, as specified in section 265 of this chapter, and such doors shall not be locked during business hours or while such buildings are occupied by a number of persons for any purpose. Revolving doors shall not be considered as complying with this section.

**256. Buildings of Class I.—increasing height of.]** In all cases where buildings of Class I., of ordinary construction, already built,

are to be increased in height above the height of sixty feet or above the height of one hundred feet, the additional parts of such buildings shall be constructed as herein provided for buildings over sixty feet high or over one hundred feet high, respectively, and shall be made to conform in all respects and throughout their entire extent to the requirements for buildings of this class more than sixty feet or more than one hundred feet high, respectively, before it shall be lawful to occupy them.

**257. Ceiling and roof of Class I.—space between.]** In buildings of Class I., if the inclosed space between the ceiling and the roof is of greater average height than two feet, easy and convenient means of access, satisfactory to the fire marshal, shall be given to such space.

**258. Fire walls—in buildings of Class I.]** Buildings occupied by more than one person or corporation or for more than one business enterprise conducted by the same person or corporation, in separate inclosures on any one floor, shall have a brick dividing wall for every fifty feet of street frontage if of ordinary construction, or for every eighty feet of street frontage if of slow-burning or mill construction, and such dividing walls shall extend from the front to the rear wall, and such dividing walls, and the doors therein shall be built as dividing walls and the doors therein are required to be built by the provisions of this chapter.

All of the partitions between the parts of such buildings, occupied by different persons or corporations shall be built of incombustible material from the floor to the floor boards or roof boards next above such story or stories so occupied.

Only metal framed windows glazed with one-quarter inch thick fire-resisting glass may be used in such partitions.

**259. Dividing walls—when required in Class I.]** Dividing walls will be required in buildings of Class I. as follows: for buildings of ordinary construction if their floor area exceeds nine thousand square feet; for buildings of slow-burning or mill construction more than one story in height if their area exceeds twelve thousand square feet; for fireproof buildings more than two stories in height, if their area exceeds twenty-five thousand square feet. In each of the before mentioned cases such building shall be subdivided by brick walls built of the thickness given in the table for the thickness of inclosing walls, and all doors and other openings in such walls shall have iron doors or shutters at each side of same. The buildings so subdivided shall be treated as regards stairs and fire escapes the same as two or more separate buildings, provided, however, one-story buildings of ordinary, mill or slow-burning construction or two-story buildings of fireproof construction of any size, used as one store, room or workshop and occupied by only one person or corporation, may be erected without any dividing walls.

**260. Dividing walls and iron doors—openings inserted in.]** If openings are to be inserted in dividing walls, as before described, or in dividing walls between non-fireproof and fireproof buildings or parts of either of such buildings, they shall be made as follows:

They shall have doors placed on each side of each opening in such walls, which doors shall be made of No. 12 plate iron with a continuous two by two by one-half-inch angle iron frame extending all around the same and the plate riveted thereto with one-half-inch rivets, placed four inches between centers. If such doors are made double they shall have cross bars, levers and hooks so arranged that when the doors are closed they will be of strength equal to that of a single door. All doors shall be hung on frames made of three-quarter by four-inch iron, stiffened with an angle iron extending all around the same and fitting up snug to the wall. The frames shall be fastened to each other by bolts extending through the wall, such bolts being not more than two feet apart, and such doors shall swing on three hinges and shall be made to fit closely to the frame all around. The sills between the doors shall be of brick, iron, stone or concrete and shall rise at least two inches above the floor on each side of each opening. The lintel over the door shall be made of brick or iron, and the wall between the two door frames shall be covered with a coat of plaster at least one-half inch thick.

**261. Elevator buildings — bins of.]** Elevator buildings (which term shall be interpreted as including all buildings intended solely for the receipt, storage and delivery of grain in bulk) may be constructed with the bin walls, both externally and internally, made entirely of wood; Provided such walls are made solid and without cellular open spaces within them. The external bin walls shall have a covering of brick or hollow tile not less than twelve inches thick, which shall be united to the bin walls by anchors, in the construction and arrangement of which due allowance is made for the variations of shrinkage of the inclosing wall and of the wooden bin wall. If the weight of the bins is independently carried on a skeleton construction of timber, steel or iron, the first-story walls shall be of brick not less than twenty inches thick. If the outer walls of the outside bins and their facing are not carried on a skeleton construction, then the first-story wall shall not be less than twenty-eight inches thick, or as much thicker as may be required to keep the load upon the brickwork within the limits of stress elsewhere specified in this chapter. Elevator buildings may be built of reinforced concrete and in such case they shall be built according to the provisions of section 554 of this chapter.

**262. Cupola—inclosing walls of—openings.]** The inclosing walls of cupolas on elevator buildings, if constructed of wood, shall be covered with corrugated iron or other incombustible material.

The outside openings in elevator buildings shall have protections of wire netting made of No. 14 wire, with meshes not over one-half by one-half inch.

All openings in the body of the first story of elevator buildings and the openings in the engine and boiler houses of the same and between these and the main building shall have iron doors made in accordance with the provisions of section 260 of this chapter.

**263. Ventilating ducts—chutes—walls surrounding.]** Walls surrounding ventilating ducts and rubbish and ash chutes shall be constructed in accordance with the regulations governing the construction of smoke flues elsewhere herein contained. Walls around ventilating ducts shall not be less than four inches thick, and when the ventilating duct is larger than two hundred and sixty square inches the walls shall be not less than eight inches thick.

**264. Store fronts—columns and lintels supporting.]** The columns and lintels supporting store fronts in buildings within the fire limits of more than one story in height shall be made of incombustible material.

**265. Stairs in buildings of Class I.—number and width of.]** There shall be in all buildings of Class I. of ordinary construction and of less floor area than one thousand square feet and not more than two stories in height, a stairway not less than three feet in width, and in all buildings of ordinary construction of more than one thousand square feet of floor area and less than three thousand square feet of floor area, two flights of stairs not less than three feet wide each. For buildings of ordinary construction of Class I. and of greater floor area than three thousand square feet, there shall be six inches added to the width of each such flight of stairs for each additional one thousand square feet of floor area or fractional part thereof, up to nine thousand square feet of floor area.

For buildings of slow-burning or mill construction with a floor area of less than twelve hundred square feet and not more than two stories in height, there shall be a stairway not less than three feet in width; buildings of a greater floor area than twelve hundred square feet and less than four thousand square feet shall have two flights of stairs, not less than three feet wide each, and there shall be six inches added to the width of each such flight of stairs for each additional one thousand square feet of floor area, or fractional part thereof, up to twelve thousand square feet. Provided, however, that additional flights of stairs may be used to make the aggregate width required, instead of widening the two flights above mentioned. It is further provided, however, that such stairs may be reduced one foot in width for each four stories in height or fractional part thereof, above the fourth story of such building, but such stairs shall in no case be of less width than three feet.

For fireproof buildings there shall be required one flight of stairs not less than four feet wide for the first three thousand square feet of floor area, or fractional part thereof. For buildings of more than three thousand square feet and not exceeding five thousand square feet of floor area, there shall be required one flight of stairs not less than five feet in width. For more than five thousand square feet and less than ten thousand square feet of floor area, there shall be an additional flight of stairs not less than three feet in width. For more than ten thousand square feet and less than fifteen thousand square feet of floor area, each of such stairs shall be of not less width than five feet. For more than fifteen thousand square feet and less than twenty-five thousand square feet of floor area, there shall be not less than three stairways of an aggregate width of fifteen feet; none of such stairs shall be of less width than three feet.

The width of the different stairways need not be alike. The width of each stairway in the fifth, sixth, seventh, and eighth stories may be six inches less in the clear than the width of the stairways in the first to the fourth stories, inclusive.

The width of each stairway in the ninth, tenth, eleventh, and twelfth stories may be twelve inches less in the clear than the width of the stairways in the first to the fourth stories, inclusive.

The width of each stairway in the thirteenth, fourteenth, fifteenth and sixteenth stories may be eighteen inches less in the clear than the width of the stairways in the first to the fourth stories, inclusive, and this reduction in width may be continued in the same ratio in each additional four stories added to the height of the building; provided, however, that no stairways shall have a less clear width than three feet.

All stairways in buildings of Class I. shall have a hand rail on each side thereof, and where there is more than one stairway in any building of Class I., such stairways shall be located at each end of the building, or as far apart from each other as is practicable.

**Doors and Windows.]** When required to be closed, fire-resisting glass. See section 632.

**Limitation in Changing Class of Buildings—**See section 633.

**Buildings Used for the Purposes of More Than One Class—**See section 249.

**266. Courts, light shafts and well holes.]** Courts, light shafts, and well holes shall be built in accordance with the provisions of section 455 of this chapter.

**267. Loads—allowance for live loads in construction of floors of Class I.]** The floors of all buildings of Class I. shall be designed and constructed in such a manner as to be capable of bearing in all their parts, in addition to the weight of floor construction, of partitions and permanent fixtures and mechanisms that may be set upon the



same, a live load of one hundred pounds for every square foot of surface in such floor; and the strength of such building shall be increased above the capacity to carry such a live load of one hundred pounds per square foot of floor surface when the uses to which such building or part thereof is to be applied involve greater stress.

**268. Floors—display of placard indicating strength of.]** It shall be the duty of the owner of every building of Class I. already constructed, or hereafter to be constructed, or of his agent, or of the occupant or person in possession, charge or control of the same, to affix and display conspicuously on each floor of such building a placard stating the load per square foot of floor surface which may with safety be applied to that particular floor, or, if the strength of different parts of any floor varies, then there shall be such placards for each varying part of such floor. It shall be unlawful to load any such floors, or any part thereof, to a greater extent than the load indicated upon such placards. It shall be the duty of occupants of buildings to maintain such placards during their occupation of the premises, and the owners of buildings, or their agents, to cause the same to be properly affixed with each change of occupation. It shall be part of the duty of architects of all buildings to calculate the figures for such placards, which are to be verified and approved by the commissioner of buildings before they are affixed upon the respective floors of the different buildings.

**Walls—Ledges.]** See section 588.

**Walls—Around Stairs, Elevators and Shafts.]** See section 588.

**Walls—Reinforced concrete.]** See section 554.

**Towers—Domes—Spires.]** See section 613.

## ARTICLE V.

### PROVISIONS RELATING SOLELY TO CLASS II.

**269. Walls of Class II.]** The thickness of the walls of buildings of Class II. shall conform to the following requirements:

The thickness of the inclosing walls of buildings of this class shall be made in accordance with the following table, to wit:

	Basement.	STORIES											
		1	2	3	4	5	6	7	8	9	10	11	12
Basement and.....	12	8											
Two-story .....	12	12	8										
Three-story .....	16	12	12	12									
Four-story .....	20	16	16	12	12								
Five-story .....	20	16	16	16	12	12							
Six-story .....	20	20	16	16	16	12	12						
Seven-story .....	24	24	20	20	16	16	12	12					
Eight-story .....	24	24	24	20	20	16	16	12	12				
Nine-story .....	28	24	24	20	20	20	16	16	12	12			
Ten-story .....	28	24	24	24	20	20	20	16	16	12	12		
Eleven-story .....	28	28	24	24	24	20	20	20	16	16	12	12	
Twelve-story .....	32	28	28	24	24	24	20	20	20	16	16	12	12

Provided, however, in buildings of steel skeleton fireproof construction, thickness of walls shall be governed by the provisions of section 510 of this chapter.

**270. Buildings—construction of—height of.]** Buildings of Class II. which are one hundred feet or more in height shall be built entirely of fireproof construction.

Buildings of Class II. less than one hundred feet and more than sixty feet in height shall be built entirely of slow-burning, or mill or fireproof construction. Buildings of Class II. not exceeding four stories in height and less than sixty feet in height may be built of ordinary construction.

**271. Walls—division and partitions in boarding or lodging houses and hotels.]** In buildings used wholly or in part for boarding houses, lodging houses, or hotels, sixty feet or less in height, there shall be for every eight rooms in any one story dividing walls or partitions of incombustible material, separating such eight rooms from the contiguous spaces. Partitions surrounding stairs and corridors shall be made of fireproof material.

**272. Stairs in buildings of Class II.]** Stairs in buildings of Class II. shall be adapted, in number and width, to the area, height, and to the uses to be made of the building in which they occur.

For office buildings, by which shall be understood buildings divided into apartments intended for business uses only, and in which there shall be no sleeping apartments whatever, there shall be in buildings of ordinary construction and of less ground area than three thousand square feet, two flights of stairs not less than three feet wide each; for office buildings of ordinary construction and of greater floor area than three thousand square feet, there shall be six inches added to the width of each such flight of stairs for each additional one thousand feet of floor area, or fractional part thereof, up to six thousand square feet of floor area; for office buildings of ordinary construction and of greater floor area than six thousand square feet, there shall be an additional flight of stairs not less than three feet wide for each additional three thousand square feet of floor area, or fractional part thereof.

For office buildings of slow-burning or mill construction, there shall be at least two flights of stairs three feet wide, each, for the first four thousand square feet of floor area, and there shall be six inches added to the width of each such flight of stairs for each additional one thousand square feet of floor area, or fractional part thereof, up to eight thousand square feet of floor area; and an additional flight of stairs not less than three feet wide shall be required for each additional four thousand square feet of floor area, or fractional part thereof, above eight thousand square feet.

For fireproof office buildings, there shall be required one flight

of stairs not less than four feet in width for the first three thousand square feet of floor area, or fractional part thereof.

For fireproof office buildings of more than three thousand, and not exceeding five thousand square feet of floor area, there shall be required one flight of stairs not less than five feet in width.

For more than five thousand and less than ten thousand square feet of floor area, there shall be required an additional flight of stairs not less than three feet in width.

For more than ten thousand and less than twenty thousand square feet of floor area, there shall be required two flights of stairs of not less width than five feet each; Provided, that for each and every fireproof office building of more than ten thousand square feet floor area there shall be at least two stairway fire escapes, placed as far apart as practicable, on such buildings, in addition to the stand-pipe and platform fire escape required by this chapter and the statutes of this state.

An additional flight of stairs shall be required for each additional ten thousand square feet of floor area; provided, that for each additional five thousand square feet of floor area such stairway shall be not less than three feet wide.

And for additional floor areas between five thousand and ten thousand square feet, such stairway shall be not less than five feet in width. The width of the different stairways need not be the same.

**273. Hospitals, hotels, boarding or lodging houses—stairways—fire stops.]** For all buildings of Class II. of ordinary construction, used as hotels, boarding or lodging houses, or hospitals, there shall be required for each building at least two flights of stairs, which, for buildings of three thousand square feet or less in floor area, shall be of not less width than three feet each, with an increase of six inches in width for each additional one thousand square feet of floor area, or fractional part thereof, up to a floor area of five thousand square feet, and after that there shall be an additional flight of stairs not less than three feet wide for each additional two thousand square feet of floor area, or fractional part thereof.

For all buildings of Class II. of slow-burning or mill construction, used as hospitals, hotels, boarding or lodging houses, there shall be required for each building at least two flights of stairs, which, for buildings of four thousand square feet or less in floor area, shall be of not less width than three feet each, with an increase of six inches in width for each additional one thousand square feet of floor area, or fractional part thereof, up to a floor area of six thousand square feet; and after that there shall be an additional flight of stairs not less than three feet wide for each additional three thousand square feet of floor area, or fractional part thereof.

For all buildings of Class II. of fireproof construction, used as hospitals, hotels, boarding or lodging houses, there shall be required

for each building at least two flights of stairs, which, for buildings of five thousand square feet or less in floor area, shall be of not less width than three feet each, with an increase of five inches in width for each additional one thousand square feet of floor area up to a floor area of ten thousand square feet, and there shall be required an additional flight of stairs not less than three feet wide for each additional four thousand square feet of floor area, or fractional part thereof.

Each stairway in the fifth, sixth, seventh and eighth stories may be built six inches less in width in the clear than the stairways in the first to the fourth stories, inclusive.

Each stairway in the ninth, tenth, eleventh and twelfth stories may be built twelve inches less in width in the clear than the stairways in the first to the fourth stories, inclusive.

Each stairway in the thirteenth, fourteenth, fifteenth and sixteenth stories may be built eighteen inches less in width in the clear than the stairways in the first to the fourth stories inclusive, and this reduction in width may be continued in the same ratio in each additional four stories added to the height of the building; Provided, however, that no stairway shall have a less clear width than three feet.

All stairways in buildings of Class II. shall have a hand rail on each side thereof, and where there is more than one flight of stairs in any building of Class II., such stairways shall be located at each end of the building, or as far apart from each other as is practicable.

In hotels, hospitals, lodging houses or boarding houses, of other than fireproof construction, there shall be a fire stop of brick, concrete or tile, between the ceiling and floor in each floor of joists for each twenty-five feet, or fractional part thereof, measured in the direction of the length of the joists.

**274. Air—means of communication with outer air in buildings of Class II.]** In all buildings of this class, the courts, windows, light shafts, alcoves, and vents shall be of the same size and dimensions as are prescribed in sections 392, 400, 402, 404, 412, 413, 415, 416, 417, 418, 419, 420, 421, 422, 423, 425 of this chapter relating to buildings of Class VI.

**275. Joists—supports for.]** If in buildings of Class II. the distance between the inclosing walls is more than twenty-four feet in the clear, there shall be intermediate supports for the joists, which supports shall be either brick walls or iron or steel columns and beams or trusses or girders. If brick walls are used for this purpose, they may, in all cases where the thickness of walls is given in the table as sixteen inches or more, be made four inches less in thickness than the dimensions stated in the table.

**276. Loads—allowance for live loads in construction of floors of Class II.]** For all buildings of Class II., the floors shall be designed

and constructed in such manner as to be capable of bearing in all their parts, in addition to the weight of the floor construction, partitions and permanent fixtures and mechanisms that may be set upon the same, a live load of fifty pounds for every square foot of surface in such floors.

**277. Stalls or rooms of Class II.—when considered habitable.]** In buildings of Class II., no room shall be considered habitable or used as a habitation, unless it has at least one window of an area equal to one-tenth of the superficial area of such room, opening into the external air. Provided, however, that no stall or compartment used as a sleeping-room in a building, the walls of which stall or compartment do not extend within a distance of two and one-half feet from the ceiling thereof, shall be regarded and considered to be a room within the intent and meaning of the provisions hereof, but the walls of every such stall or compartment shall be of incombustible material.

**278. Hospitals — construction — height of — permits — special consents.]** It shall be unlawful for any person, or corporation, to build, construct, maintain, conduct or manage in any block, if two-thirds of the buildings fronting upon both sides of the streets bounding such block or square are devoted chiefly to residence purposes, any hospital for the care, treatment or nursing of three or more insane persons; or any hospital for the care, treatment or nursing of three or more inebriates, or persons suffering from the effect of the excessive use of alcoholic liquors; or any hospital for the care, treatment or nursing of three or more epileptics; or any hospital for the care, treatment or nursing of three or more persons addicted to, or suffering from, the excessive use of morphine, cocaine, or other similar drugs or narcotics; or any hospital for the care, treatment or nursing of any person affected with any infectious or contagious disease, unless the owners of a majority of the frontage in such block or square, and in addition thereto the owners of a majority of the frontage on the opposite sides of the streets bounding such block or square, consent in writing to the building, constructing, maintaining, managing or conducting of any such hospital in such block or square. Such written consents of the majorities of such property owners shall be filed with the commissioner of buildings, and an exact copy of same shall be filed with the commissioner of health, before a permit shall be granted for the building or constructing, or a license issued for the maintaining, conducting or managing, of any such hospital. Provided, that any building that may be used for hospital purposes which is over two stories in height, shall be of fireproof construction throughout, and no hospital shall be built to exceed six stories in height.

**279. Hospitals—location of near school houses.]** No hospital of any kind or description hereafter erected or established shall be

erected or established within four hundred feet of property used for school purposes.

**Walls—ledges—joist supports.]** All ledges in walls shall be as specified in section 588 of this chapter.

**Walls.]** Reinforced concrete, see section 554.

**280. Roofs—strength of.]** The roofs of buildings of Class II., shall be designed and constructed as is required in section 610.

**Roofs.]** Shingle. See section 609.

**Towers, domes and spires.]** Construction of. See section 613.

**Skylights.]** Construction, glass in. See section 614.

**Bay windows and light shafts.]** Material for. See section 600.

**Doors and windows.]** When required to be closed—fire-resisting glass. See section 632.

**Wind pressure.]** Precautions against. See section 603.

**Windows.]** Cleaning, safety devices. See section 726.

Buildings used for the purposes of more than one class. See section 249.

Limitations in changing class of buildings. See section 633.

**Walls.]** Around stairs, elevators and shafts. See section 588.

## ARTICLE VI.

### PROVISIONS RELATING SOLELY TO CLASS III.

**281. Walls of Class III.—thickness of.]** Buildings of Class III. shall conform to the following requirements:

The thickness of inclosing walls of buildings of this class shall be in accordance with the following table, to wit:

	Basement.	STORIES											
		1	2	3	4	5	6	7	8	9	10	11	12
Basement and . . . . .	12	8											
Two-story . . . . .	12	12	8										
Three-story . . . . .	16	12	12	12									
Four-story . . . . .	20	16	16	12	12								
Five-story . . . . .	20	16	16	16	12	12							
Six-story . . . . .	20	20	16	16	16	12	12						
Seven-story . . . . .	24	24	20	20	16	16	12	12					
Eight-story . . . . .	24	24	24	20	20	16	16	12	12				
Nine-story . . . . .	28	24	24	20	20	20	16	16	12	12			
Ten-story . . . . .	28	24	24	24	20	20	20	16	16	12	12		
Eleven-story . . . . .	28	28	24	24	24	20	20	20	16	16	12	12	
Twelve-story . . . . .	32	28	28	24	24	24	20	20	20	16	16	12	12

Provided, however, in buildings of steel skeleton fireproof con-

struction, thickness of walls shall be governed by the provisions of section 510 of this chapter.

**282. Buildings—construction of—height of.]** Buildings of Class III. which are one hundred feet or more in height shall be made entirely of fire-proof construction.

Buildings of Class III. less than one hundred feet and more than sixty feet in height shall be built entirely of slow-burning mill or fire-proof construction.

Buildings of Class III. less than sixty feet in height may be built of ordinary construction.

**283. Skylights—construction of—glass in.]** The skylight on the roof of any building of Class III., other than a frame building, shall have the sides, sashes and frames constructed of metal, or of wood metal clad on all exterior surfaces. If the building exceed three stories in height, such skylight shall have at least six inches over same a strong wire netting (wire not lighter than No. 8 and mesh not coarser than one and one half by one and one half inches), unless the glass contains a wire netting within itself.

**284. Loads—allowance for live loads in construction of floors of Class III.]** For all buildings of Class III. the floors shall be designed and constructed in such manner as to be capable of bearing in all their parts, in addition to the weight of floor construction, partitions and permanent fixtures and mechanisms that may be set upon the same, a live load of forty pounds for every square foot of surface in such floors.

**285. Rooms of Class III.—when considered habitable.]** In buildings of Class III., no room shall be considered habitable or used as a habitation unless it has at least one window of an area equal to one-tenth of the superficial area of such room opening into the external air.

**286. Fire walls—thickness of—when dispensed with.]** In buildings of Class III., fire walls of brick not less than twelve inches thick shall be built, extending above the roof thereof, if such roof is flat, and also above the roof of such building where the same abuts against another building, or where the same stands upon any line of any lot, excepting street or alley lines. Provided, that where eight-inch walls are permitted in the top story of buildings, or where the building is not over three stories high, the fire walls may be eight inches thick. Such fire walls, where they stand upon lot lines or where they are over the dividing walls between buildings, or over the dividing walls in the interiors of buildings, where such are required by the provisions of this chapter by reason of the great area of such buildings, shall extend at least two feet above the roof of such buildings. Fire walls upon street and alley lines shall extend not less than eighteen inches above the roofs of such buildings. Fire walls may be dis-

pensed with on street and alley lines, if the tops of the roof boards and roof joists are protected against fire for a distance of at least five feet from such street or alley lines by a coating of mortar or hollow tile or porous tile at least two inches thick. Fire walls at street and alley lines may also be dispensed with in all cases where the entire framing and material of the roof is made strictly fireproof.

Walls facing upon courts and light shafts shall be treated as in the same category with walls facing upon streets and alleys.

Fire walls shall be covered with a weatherproof coping of incombustible material.

**287. Bay windows and light shafts—material for.]** Bay or oriel windows and light shafts may be built of combustible material in buildings of Class III. of two stories or less in height, provided, such bay and oriel windows or light shafts shall not have a greater width than twelve feet at wall line of building, and, provided, that the outside walls, roofs, and soffits of such bay or oriel windows and light shafts, when so constructed, shall be covered with sheet metal or other incombustible material. In all other cases, bay and oriel windows and light shafts and their supports shall be constructed entirely of incombustible material.

**288. Walls—brick wall upon wooden sills—level of sills allowed.]** All buildings of Class III., not exceeding one story in height and twenty feet in height from top of sills to highest point of roof, and with side walls not exceeding fourteen feet in height, and with floor area not exceeding one thousand two hundred square feet, may have brick walls not less than eight inches in thickness erected on wooden sills, the sills supported on iron, masonry or concrete supports extending four feet below the surface of the ground. The foundations under such supports shall be of concrete, stone or brick, each covering not less than five square feet area and not more than eight feet apart to support the weight that may rest upon them with safety; sills shall be placed not higher than four feet above the established grade of the street upon which the lot fronts and upon which lot the building is erected, where grades are established, and not exceeding seven feet above the ground where grades are not established. In all cases of buildings being more than one story and less than two stories high, and having a gable or hip roof of not less than one-third pitch, eight inch walls on solid brick or stone masonry may be used, provided they do not exceed fourteen feet in height measured from the first floor joist, and provided such buildings have a floor area not exceeding one thousand two hundred feet and are not over twenty-two feet in width.

**Roofs.]** Strength of. See section 610.

**Roofs.]** Shingle and gravel. See section 609.

**Wind pressure.]** Precautions against. See section 603.



**Walls—reinforced concrete.]** See section 554.

**Walls.]** Ledges. See section 588.

**Towers, domes and spires.]** See section 613.

**Limitations in changing class of buildings.** See section 633.

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## ARTICLE VII.

### PROVISIONS RELATING SOLELY TO CLASS IV.

**289. Walls—outside walls of Class IV.—structures built above—walls of.]** The outside walls of every building used wholly or in part for the purposes of Class IV., the roof or ceiling of which is carried on trusses or girders of a span of fifty feet or more, shall be as follows:

If such walls are less than twenty-five feet high, not less than twenty inches thick.

If they are more than twenty-five feet high and less than forty-five feet high, they shall not be less than twenty-four inches thick.

If they are more than forty-five feet and less than sixty feet high, they shall not be less than twenty-eight inches thick.

If they are more than sixty feet and less than seventy-five feet high, they shall not be less than thirty-two inches thick.

If they are more than seventy-five feet and less than ninety feet high, they shall not be less than thirty-six inches thick.

An increase of four inches in thickness of such walls shall be made in all cases where they are over one hundred feet long without cross walls of equal height.

Walls around stairs, elevators and shafts. See section 588.

For rooms used for the purposes of Class IV., where such rooms are less than fifty feet wide in the clear, the thickness of the walls inclosing or surrounding such rooms may be reduced by four inches.

The outside walls of every building of Class IV., the roof or ceiling of which is not carried on trusses or girders, shall be of the same thickness as in buildings of Class I.

If one or more stories are built above the room or rooms or portion of any such building devoted to the uses of Class IV., and such stories are carried on trusses or girders, the thickness of walls shall be increased by four inches for each two stories or part thereof above every such room.

If solid masonry buttresses are employed, and placed eighteen feet or less apart, and extended to the foot of the trusses or girders carrying the ceiling, or if iron or steel pillars are inserted in such walls for the support of the superstructure, and at distances not more than twenty-four feet between centers, and if such pillars extend to and

carry the superimposed trusses and girders, the thickness of such walls may be reduced in proportion to the increase of strength afforded by such buttresses or pillars; but in no case shall any such wall be less than twelve inches thick in the top story; four inches shall be added, going downward, for each story, or for each twenty-five feet in height of wall. Provided, that if in any building of this class now in existence the structural parts thereof do not comply with the foregoing requirements, and structural changes are made therein, then, all walls, columns or other structural parts shall be strengthened in a manner satisfactory to the commissioner of buildings.

**290. Walls—columns in.]** If iron or steel columns are introduced in such walls, the brickwork around the same shall be bonded into that of the connecting walls, and each of such columns shall be fireproofed, as provided in section 511 of this chapter.

**291. Frontage of Class IV., seating less than 800.]** Buildings of Class IV. containing halls or rooms of an aggregate seating capacity of eight hundred persons or less, shall have for each hall or room a frontage upon two public spaces, of which at least one shall be a street, and of which the other, if it is not a street, shall be a public or private alley, not less than ten feet wide, opening directly on a public street.

**292. Frontage of Class IV.—seating over 800.]** Buildings of Class IV., containing halls or rooms used for the purposes of Class IV., of greater aggregate seating capacity than eight hundred, shall have for each such hall or room a frontage upon three open spaces, of which at least one shall be a public street, while the two others, if not streets, shall be public or private alleys of a width of not less than ten feet each, opening directly on a public street; or fireproof passageways or tunnels of not less than seven feet each in width may be used in place of these alleys, provided such passageways or tunnels lead to a public thoroughfare.

**293. Buildings of Class IV.—construction of.]** Buildings of Class IV., containing halls or rooms used for the purposes of Class IV., of an aggregate seating capacity of not more than eight hundred, may be built of ordinary construction. If such halls or rooms have a greater aggregate seating capacity than eight hundred and less than one thousand five hundred, such buildings shall be built of mill, slow-burning or fireproof construction. If such halls have an aggregate seating capacity of one thousand five hundred or more, such buildings shall be built entirely of fireproof construction.

In computing the seating capacity of any room or building used for the purposes of Class IV., in which the seats are not fixed, an allowance of eight square feet of floor area shall be made for each person, and all space between the walls or partitions of such room or building shall be measured in this computation.

**294. Buildings of Class IV., used partly for other purposes.]** Any building occupied wholly or in part for the purposes of Class IV., shall be built entirely of fireproof construction, if the halls or rooms used for the purposes of Class IV., therein, have an aggregate seating capacity greater than one thousand five hundred.

**295. Buildings of certain height—construction of.]** Any building higher than sixty feet and connected with or made part of any building used wholly or in part for the purposes of Class IV., shall be entirely of fireproof construction. Any such building less than sixty feet in height shall, if its case is not already covered by other provisions of this chapter, be made of fireproof, slow-burning or mill construction.

**296. Openings between non-fireproof buildings.]** In all cases where fireproof construction is not used for the whole of two or more connected buildings, used wholly or in part for the purposes of Class IV., there shall be at each connecting opening, double iron doors.

**297. Spires, cupolas and domes upon houses of worship—violation—spires, etc., to be taken down—roofs of isolated buildings of Class IV.]** Spires, cupolas or domes with a framework of non-fire proof material and covered on the outside with incombustible material may be erected as part of any house of public worship, if such house of worship is so built that it is nowhere nearer than twenty feet to any line of the lot upon which it stands (street and alley lines excepted); such non-fireproof spires, cupolas or domes may be maintained only while this intervening space of twenty feet is maintained unoccupied as part of the grounds or premises belonging to such house of public worship. If the conditions of such building be so changed that there shall not be a vacant space as hereinbefore required surrounding same, such spire, cupola or dome shall be forthwith taken down.

The roofs of isolated buildings, occupied for purposes of Class IV., shall be constructed in the same manner as that provided for spires, domes and cupolas.

Provided, however, that the roofs of houses of worship outside the fire limits not exceeding twenty-eight hundred square feet in area may be covered with shingles.

**298. Floor levels—limitation of floor levels of Class IV.—auditorium floor of Class IV.—height above sidewalk—stairs.]** The following limitations of floor levels in buildings occupied either wholly or in part for purposes of Class IV. shall be observed in all cases.

In buildings occupied either wholly or in part for purposes of Class IV., no auditorium of a greater seating capacity than one thousand shall have the highest part of its main floor at a greater distance than ten feet above the adjacent sidewalk grades. No room or rooms used for the purposes of Class IV., of greater seating capacity than five hundred, shall be at a greater distance above the sidewalk grade

than thirty feet. No room or rooms used for the purposes of Class IV., of greater seating capacity than two hundred, shall be at a higher level above the sidewalk grade than forty-five feet.

Provided, however, that in the case of a building used either wholly or in part for the purposes of Class IV., and built wholly of fireproof construction, a room or rooms to be used for the purposes of Class IV., and of an aggregate seating capacity of less than five hundred, may be located in any story thereof, but in such case there shall be at least two separate and distinct flights of stairs from the floor or floors in which such room or rooms are located to the ground, each of which stairs shall be not less than four feet wide in the clear.

**299. Loads, allowance for live loads in construction of floors of Class IV.—stairways—entrances and exits, width of.]** All floors of all buildings of Class IV. shall be designed and constructed in such a manner as to be capable of bearing in all their parts, in addition to the weight of floor construction, partitions and permanent fixtures and mechanisms that may be set upon the same, a live load of one hundred pounds for every square foot of surface in such floor. The width of stairways in buildings used wholly or in part for the purposes of Class IV. shall be eighteen inches for every one hundred of the aggregate seating capacity of all rooms in such building, which are used for the purposes of Class IV., and for fractional parts of each one hundred seating capacity a proportionate part of eighteen inches shall be added to the width of such stairways, but no stairway in such building shall be less than four feet wide in the clear, except as hereinafter provided; and Provided, further, than in any such building having room or rooms used for purposes of Class IV., the aggregate seating capacity of which shall not exceed two hundred and fifty persons, two separate and distinct three-foot stairways shall be permitted.

All stairways shall have hand railings on each side thereof. Stairways which are over seven feet wide shall have double intermediate, handrails with end newel posts at least five and one half feet high. No stairways shall ascend a greater height than thirteen feet six inches without a level landing, which, if its width is in the direction of the run of the stairs, shall not be less than three feet wide, or which, if at a turn of the stairs, shall not be of less width than the width of the stairs.

Stairways leading to a box or boxes, seating not to exceed thirty people in the aggregate, shall be independent of all other stairs or seats and not less than two feet six inches wide in the clear. For each additional twenty-five of seating capacity, or major portion thereof, in such boxes, an additional width of five inches shall be added to such stairways.

**Walls—ledges.]** See section 588.

**Doors and windows—when required to be closed—fire-resisting glass.]**  
See section 632.

**300. Balconies and galleries—exit and entrance.]** Distinct and separate places of exit and entrance shall be provided for each gallery. A common place of exit and entrance may serve for the main floor of the auditorium and the balcony, provided its capacity be equal to the aggregate capacity of all aisles or corridors leading from the main floor and such balcony to such place of exit and entrance.

**301. Balconies and galleries—designation of.]** Where there are balconies or galleries, the first balcony or gallery shall be designated the "Balcony," and the second and third balcony or gallery shall be designated respectively, "Gallery" and "Second Gallery." Such designation shall be plainly printed on all admission tickets.

**302. Aisles—steps in aisles—passageways—kept unobstructed.]**  
Aisles in rooms or auditoriums used for the purposes of Class IV. shall in the aggregate be eighteen inches in width for each one hundred of the seating capacity of such room or auditorium, and for fractional parts of one hundred, a proportionate part of eighteen inches shall be added; but no aisle shall be less than two feet and six inches in width in its narrowest part. Steps shall be permitted in aisles only as extending from bank to bank of seats, and whenever the rise from bank to bank of seats is less than five inches the floor of the aisles shall be made as an inclined plane, and where steps occur in outside aisles or corridors, they shall not be isolated, but shall be grouped together and there shall be a light so placed as to illuminate such steps in such outside aisles or corridors. All aisles and passageways in such rooms or auditoriums shall be kept free from camp stools, sofas, chairs and other obstructions, and no person shall be allowed to stand in or occupy any of such aisles or passageways during any performance, service, exhibition, lecture, concert, ball, or any public assembly.

**303. Corridors, passageways, hallways and doors—width of.]** The width of corridors, passageways, hallways and doors adjacent to, connected with or a part of such rooms or auditoriums, shall be computed in the same manner as is herein provided for stairways and aisles, excepting, however, that no such corridor, passageway or hallway shall be anywhere less than four feet in width, and no such door shall be less than three feet in width.

**304. Seats—number of in rows.]** There shall not be more than fourteen seats in any one row between aisles.

Rows of seats shall not be less than two feet, eight inches from back to back, and no bank of seats shall be of greater rise than twenty-four inches.

**305. Emergency exits.]** Emergency exits and stairways shall be provided outside of the walls of all assembly halls of a larger seating

capacity than eight hundred. Provided, however, that if any such assembly hall is used for any of the purposes described in section 311 of this chapter, and has a seating capacity of more than four hundred, such assembly hall shall have emergency exits to the street of one-half the aggregate width of the main exits, but no such emergency exit shall be less than three feet in width.

Such emergency exits and stairways therefrom may be built inside the walls of the building in a corridor or passageway not less than seven feet wide, which corridor or passageway shall be surrounded by a fireproof partition, not less than four inches thick.

Such stairways shall be made of wrought iron or steel, or other approved fireproof material, and cast iron is not approved for this work. All emergency exits and stairways therefrom shall be kept free from obstruction of any kind, including snow and ice.

**306. Doors to open outward.]** All doors affording access directly or indirectly to the street from any room used for the purposes of Class IV. shall open outward upon suitable hinges.

Exit doors from such rooms shall not be obscured by draperies and shall not be locked, or fastened, in any manner during the entire time any such room is open to the public, but shall be so constructed and maintained that they may be easily opened from the interior.

**307. Walls between auditorium and stage.]** In buildings used either wholly or in part for the purposes of Class IV. hereafter erected, there shall be a solid brick wall, of the same thickness as that called for on the outside walls, between the auditorium and stage; and in non-fireproof buildings such walls shall extend to a height of three feet above the roof. Provided, however, that in existing buildings, any room used for the purposes of Class IV., and having a seating capacity greater than four hundred, shall have the proscenium wall built of incombustible material.

**308. Curtain shall be iron, steel or asbestos—inspection of—fee.]** The main curtain opening in any such room shall have a wrought iron or steel or asbestos curtain, which shall be inspected by the building department semi-annually, for which inspection a charge of two dollars shall be made, and all other openings in the proscenium wall shall have self-closing iron doors.

**309. Structures over ceiling—construction.]** If any structure is built over the ceiling or roof of any building used either wholly or in part for the purposes of Class IV., the different members of the girders or trusses supporting same shall have their fireproofing double, in the manner required for columns for fireproof buildings of Class I.

**310. Fire apparatus on stage.]** In all rooms used for the purpose of Class IV. of a seating capacity of two hundred and fifty or more, where stationary scenery is used, there shall be kept for use two or

more portable fire extinguishers or hand fire pumps on and under the stage, and also four fire department axes, two fifteen foot hooks and two ten foot hooks on each tier or floor of the stage, subject to the approval of the fire marshal, and in such rooms of less seating capacity than two hundred and fifty, there shall be at least one portable fire extinguisher.

**311. Rooms used for regular theatrical or vaudeville performances—exit doors.]** Exit doors shall not be obscured by draperies and shall not be locked or fastened in any manner during the entire time any such room of Class IV. is open to the public, so as to prevent them from being easily opened outwardly; and such doors shall be so constructed and maintained, as to require no special knowledge or effort to open them from the interior.

It shall be the duty of every person, or corporation, operating or maintaining any room, having a seating capacity of three hundred or more used for the purposes of Class IV., and which is used regularly for theatrical or vaudeville performances and where an admission fee is charged, to employ one competent, experienced fireman who shall be detailed by the fire marshal, and who shall be in the uniform of the Chicago fire department. Such fireman shall be on duty during the whole time such room is open to the public, and he shall report to and be subject to the orders of the fire marshal; he shall see that all fire apparatus required by this chapter is in its proper place and in proper condition ready for use and that all exits are unlocked during the whole time such building is open to the public.

Such fireman and the fire marshal shall require all persons employed in or about such room to be drilled in the use of all apparatus and appliances for the prevention of fire installed therein, at least twice in every week, and such fireman shall report to the fire marshal the manner and efficiency of such drill. Such fireman shall report in writing daily to the fire marshal the condition and equipment of the building, or portion thereof, to which he is detailed. No fireman shall be on duty at any one building for a longer period than two weeks.

**312. Standpipe and hose on stage.]** A standpipe not less than one and one-half inches in diameter with a hose connection and hose valve therein, shall be installed on each side of the stage in such room, and shall at all times have a hose connected thereto, ready for use.

Such standpipe shall be connected with a power pump or gravity tank so that a sufficient pressure of water shall be furnished through such standpipe to afford adequate fire protection. The pressure to be furnished by such tank or pump shall be satisfactory to the fire marshal.

**313. Vents or flue pipes.]** One or more vents or flue pipes of metal construction or other incombustible material approved by the  
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commissioner of buildings shall be built over the stage, and shall extend not less than ten feet above the highest point of the roof, and shall be equivalent in area to one-twentieth of the area of the stage.

In buildings where additional stories are built above the stage, such vents or flue pipes may be carried out near the top of the stage walls, and shall be continued and run up on the exterior of the building to a point five feet above the highest point of the additional stories.

All such flues or vents shall be provided with metal dampers, and shall be opened by a closed circuit battery, approved by the city electrician.

Such dampers shall be controlled by two switches, one at the electrician's station on the stage, which station shall be fireproof, and the other at the city fireman's station on the opposite side of the stage; such switches shall be located in such places on the stage as may be designated by the fire marshal, and each switch shall have a sign with plain directions as to the operation of same printed thereon.

**314. Fuse boxes.]** All fuse boxes shall be surrounded by two thicknesses of fireproof material with an air space between, and no fuse shall be exposed to the air between the switchboards; all electrical equipment in such rooms shall be installed and maintained to the satisfaction and approval of the city electrician.

**315. License.]** The amusement license for each room used for the purposes of Class IV. shall state the number of persons such room has accommodations for, which number shall be governed by the provisions of this chapter relating thereto, and no more than that number shall be allowed to be in such room at any one time.

No amusement license shall be issued for any room used for the purposes of Class IV. unless the commissioner of buildings, the fire marshal and the city electrician shall first have certified, in writing, that such room complies with the provisions of this chapter in every respect.

**316. Exits—diagram of printed on programs—signs over.]** It shall be the duty of the owner, lessee, or manager of every room used for the purposes of Class IV., and in which programs are issued for performances given therein, to cause to be printed on such programs a diagram showing conspicuously the exits from such room. The word "Exit" shall be in letters at least six inches high over the opening to every means of egress from any such room, and in any such room having a greater seating capacity than four hundred, a red light furnished by gas or sperm oil shall be kept burning over such word during the entire period such room is open to the public and until the audience has left such room.

**317. All parts of room well lighted during performance.]** Every portion of any room used for the purposes of Class IV. and all out-



lets therefrom leading to the streets, including the passage-ways, courts and corridors, stairways, exits, and emergency exit stairways, shall be well and properly lighted during every performance, and the same shall be kept so lighted until the entire audience has left the premises; and every passageway, or court, or corridor, or stairway, or exit, or emergency exit stairway, shall be provided with signs, indicating the way out of the building, the letters of which shall not be less than six inches in height.

318. Lights in halls, corridors and lobbies, control of—separate shut-off—connection with gas mains—protection of suspended and bracket lights—protection of lights inserted in walls—protection of footlights—construction of border lights—ducts and shafts conducting heated air from lights—protection of stage lights.] All gas or electric lights in the halls, passageways, corridors, lobby or other means of ingress to or egress from any such room shall be controlled by a separate shut-off, located in the lobby, and controlled only in that particular place. Gas mains supplying any such room shall have independent connections for the auditorium and stage, and provision shall be made for shutting off the gas from the outside of the building. All suspended or bracket lights surrounded by glass, in the auditorium, or in any part of any such room, shall be provided with proper wire netting underneath. No gas or electric light shall be inserted in the walls, woodwork, ceilings, or in any part of any such room, unless protected by fire-proof materials. The footlights, if gas light, in addition to the wire net work, shall be protected by a strong wire guard, not less than two feet distant from such footlights and the trough containing such footlights shall be formed of, and be surrounded by, fireproof materials. All border lights shall be constructed according to the best known methods, subject to the approval of the city electrician, and shall be suspended by wire rope. All ducts and shafts used for conducting heated air from the main chandelier, or from any other light or lights, shall be constructed of metal, and made double with an air space between. All stage lights, if gas, shall have strong metal wire guards or screens, not less than ten inches in diameter, so constructed that any material coming in contact therewith shall be out of reach of the flame, and such guards or screens shall be firmly soldered to the fixtures in all cases.

The use of calcium lights in any hall or room used regularly for theatrical or vaudeville performances is prohibited, and no calcium lights shall be permitted upon any stage; all arc lights used on the stage shall be subject to the approval of the city electrician.

319. Apparatus under control of fire marshal.] The standpipes, hose, and all apparatus for the extinguishing of fire or guarding against the same, required by the provisions of this chapter to be provided, shall be at all times so provided and kept in a manner satisfactory to the fire marshal.

**320. Scenery to be incombustible.]** No scenery or stage paraphernalia of any sort shall be used upon the stage of any room used for the purposes of Class IV., unless such scenery and paraphernalia shall have been treated with a paint or chemical solution which shall make it non-inflammable, and which treated scenery or stage paraphernalia, or both, shall be tested and approved by the fire marshal.

**321. Commissioner of buildings, city electrician, fire marshal and superintendent of police empowered to enter.]** The commissioner of buildings, city electrician, fire marshal, superintendent of police, and their respective assistants, shall have the right to enter any building used wholly or in part for the purposes of Class IV. and any and all parts thereof, at any reasonable time, and at any time when occupied by the public, in order to examine such building, and it shall be unlawful for any person to interfere with them in the performance of their duties.

**322. Power of officers to close.]** The commissioner of buildings, fire marshal, city electrician or superintendent of police, or any one of them, shall have the power, and it shall be their joint and several duty, to order any building used wholly or in part for the purposes of Class IV. closed, where it is discovered that there is any violation of any of the provisions of this article, until the same are complied with.

**323. License—mayor shall revoke.]** Upon the report to the mayor by the commissioner of buildings, fire marshal, city electrician, or superintendent of police, or any of them, that any order or requirement of this article in regard to buildings used wholly or in part for the purposes of Class IV. has been violated or is not being complied with, in any such building, the mayor shall revoke the amusement license of any amusement or entertainment therein conducted, and shall cause such building, or portion thereof, devoted to the uses of Class IV., to be closed.

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## ARTICLE VIII.

### PROVISIONS RELATING SOLELY TO CLASS V.

#### BUILDINGS OF CLASS V. NOW IN EXISTENCE.

**324.** The following provisions shall apply to buildings now in existence and used wholly or in part for the purposes of Class V.

**325. Walls—outside—structures built above.]** The outside walls of all such buildings, the roofs or ceilings of which are carried on trusses or girders of a span of fifty feet or more, shall be as follows:

If such walls are less than twenty-five feet high, they shall be not less than twenty inches thick.

If they are more than twenty-five feet and less than forty-five feet high, they shall be not less than twenty-four inches thick.

If they are more than forty-five feet and less than sixty feet high, they shall be not less than twenty-eight inches thick.

If they are more than sixty feet and less than seventy-five feet high, they shall be not less than thirty-two inches thick.

If they are more than seventy-five feet and less than ninety feet high, they shall be not less than thirty-six inches thick.

An increase of four inches in thickness of such walls shall be made in all cases where they are over one hundred feet long, without cross-walls of equal height.

The thickness of the walls inclosing or surrounding rooms used for the purposes of Class V. where such rooms are less than fifty feet wide, may be reduced by four inches.

If one or more stories are built above any room devoted to the uses of Class V. and such stories are carried on trusses or girders the thickness of walls shall be increased by four inches for each two stories or part thereof above such room.

If solid masonry buttresses are employed and placed eighteen feet or less apart, and extended to the foot of the trusses or girders carrying the ceiling, or if iron or steel columns are inserted in such walls for the support of the superstructure, and at a distance not more than twenty-four feet between centers, and if such columns extend to and carry the superimposed trusses and girders, the thickness of such walls may be reduced in proportion to the increase of strength afforded by such buttresses or columns, but in no case shall any such wall be less than twelve inches thick in the top story, and four inches shall be added, going downward, for each story, for each gallery, or for each twenty-five feet in height of wall. Provided, that if in any such building now in existence the structural parts thereof do not comply with the foregoing requirements and structural changes are made therein, then all walls, columns or other structural parts shall be strengthened in a manner satisfactory to the commissioner of buildings.

**326. Columns in walls—alterations.]** If iron or steel columns are introduced in such walls, the brick work around the same shall be bonded into that of the connecting walls, and each of such columns shall be fireproofed as provided in section 511 of this chapter. All alterations in such existing buildings intended to make them comply with the requirements of this chapter may be executed with the same kind of materials as those originally used in the construction of such buildings unless otherwise provided by this chapter.

**327. Other classes built in conjunction with Class V.—doors for openings between connecting buildings.]** In all cases where existing buildings used wholly or in part for the purposes of Class V. are

built in conjunction with or as part of buildings devoted to the uses of other classes and where such buildings of the other classes, as specified in this chapter, are not built entirely of fireproof construction, double iron doors shall be placed at each connecting opening between such buildings of Class V., and the building connected therewith.

**328. Floor levels—limitations of.]** The audience room or rooms or auditorium or auditoriums used for the purposes of Class V. containing in the aggregate not more than five hundred seats, if in a fireproof building, may be located in any story thereof, but in such case there shall be at least two separate stairways from the floor or floors in which such audience room or auditorium is located to the ground, each of which stairways shall be not less than four feet in width in the clear.

In existing buildings of fireproof construction, having an audience room or an auditorium with a seating capacity of more than five hundred and less than fifteen hundred the lowest bank of seats of the main floor thereof shall be not more than twelve feet above the street level, and every such building shall in all other respects conform to the requirements of this chapter. The main floor of no existing theater of any construction other than fireproof shall be raised above its present elevation.

**329. Loads—allowance for live loads in construction of floors of Class V.]** For all buildings of Class V., all floors shall be designed and constructed in such manner as to be capable of bearing in all their parts, in addition to the weight of floor construction, partitions and permanent fixtures and mechanisms that may be set upon the same, a live load of one hundred pounds for every square foot of surface in such floors.

**330. Stairways—entrances and exits.]** Stairways affording ingress to or egress from any room or rooms used for the purposes of Class V. shall be in width equivalent to twenty inches for every one hundred of seating capacity of such room and for fractional parts of one hundred a proportionate part of twenty inches of width shall be added, but in no event shall any such stairway be less than four feet wide in the clear, except as hereinafter provided in this section.

All such stairways shall have hand railings on each side thereof and shall not ascend a greater height than thirteen feet six inches without a level landing, and the length and width of such landing shall not be less than the width of the stairs; no run of stairs shall consist of less than six risers between platforms, and risers shall not be placed on return platforms. Stairways which are over seven feet wide shall have double intermediate handrails with end newel posts at least five and one-half feet high.

Steps shall not have a greater rise than seven and three-eighths

inches, treads shall not be narrower than eleven inches, and winders shall not be used on any staircase, except where circular staircases are expressly permitted.

In existing theaters each and every balcony and gallery shall have separate and distinct entrance stairways from the sidewalk level, except that in cases where the vestibule or entrance to any such theater is not more than fifteen inches, or two steps, above the sidewalk level and such steps are at or near the building line, the stairways to such balcony and gallery may ascend from the floor of such vestibule or entrance; but if the run of the stairs at the bottom is not toward the street, there shall be a hand rail or rails three feet above the floor constructed from the foot of such stairways for a distance of not less than five feet leading toward the street. All doors intervening between such stairways and the street shall, during each and every performance, be kept unfastened.

There shall be an iron stairway or stairways from the stage to the fly galleries and gridiron, continuing to the roof of the building or to some fireproof passageway or exit. Such stairways may be circular. Such circular stairways, however, shall not be used for access to the dressing rooms.

Stairs leading to a box or boxes seating not to exceed thirty people, in the aggregate, shall be independent of all other stairs and seats and not less than two feet eight inches wide in the clear. For each additional twenty-five of seating capacity, or major portion thereof, there shall be an additional width of five inches added to such stairways.

All stairways on the stage side of the proscenium wall shall be not less than two feet six inches wide.

Instead of increasing the width required for entrances, aisles, exits and stairways to that required by this chapter, the owner, lessee or manager of any such theatre shall have the privilege of reducing the number of permanent seats therein until the same ratio between such width and number of seats as hereinbefore provided for shall be established; and if such privilege be taken advantage of, it shall be the duty of the commissioner of buildings to make inspection and certify that such ratio actually exists before a license for the operation of any such theater shall be issued.

**331. Floors at exits.]** Floors at all exits shall be so designed as to be level and flush with adjacent floors and shall extend for an unbroken width of not less than four feet in front of each exit, and shall be two feet wider than such exit.

**332. Seats in rows between aisles.]** More than ten seats in any row between aisles in any gallery shall not be permitted. On the main floor and balcony, not more than eleven seats between aisles shall be permitted; Provided, however, that in banks of seats on main

floors and balconies that are not at a greater distance than twenty feet from an exit, thirteen seats shall be permitted between aisles.

Seats shall be not less than twenty inches in width measured at the top of the seat backs.

Rows of seats shall be not less than two feet eight inches from back to back.

No bank of seats shall be of greater rise than twenty-two inches.

All groups of seats shall be so arranged that there shall be an aisle at each side of each group, provided, however, that groups of five seats or less may abut upon a tunnel at one side and an aisle at the other side.

The number of banks of seats on the main floor shall not exceed fifteen, unless an intervening or cross aisle is provided between each fifteen banks of seats, or a direct exit is provided for each aisle.

The number of banks of seats in the balcony shall not exceed nine unless an intervening or cross aisle is provided between each nine banks of seats, or a direct exit is provided for each aisle.

**333. Tunnels—cross aisles—vertical rise—foyer.]** There shall be no more than twelve feet rise measured vertically, in any aisle in any gallery without a direct exit by tunnel or otherwise to a corridor with free opening on to the gallery stairs or other direct discharge to the street, or at such elevation of twelve feet an intervening or cross aisle leading directly to an exit. No tunnel shall be less than three feet wide in the clear. No foyer shall be open to the theater proper except through the exits.

**334. Main floor—balcony and gallery—designation of.]** The lower floor of all theaters shall be designated the "Main Floor."

Where there are balconies or galleries, the first balcony or gallery shall be designated the "Balcony" and the second and third balcony or gallery shall be designated, respectively, "Gallery" and "Second Gallery." Such designation shall be printed plainly on all admission tickets.

**335. Aisles, corridors and passageways—kept unobstructed—steps in aisles.]** The minimum width of aisles with diverging sides in any room or auditorium used for the purposes of Class V. shall be two feet eight inches at the end near the stage and not less than three feet at the other end.

The minimum width of aisles with parallel sides shall be three feet.

Every aisle shall lead as nearly as possible directly to an exit, but in no case shall the center line of such exit be more than three feet from the center line of any such aisle leading thereto. Steps shall not be permitted in aisles except as extending from bank to bank of seats, and no riser shall be greater than seven and three-eighths inches and no tread shall be less than nine and one-half inches; and when-

ever the rise from bank to bank of seats is less than five inches, the floor of the aisles shall be made as an inclined plane, and where steps are placed in outside aisles or corridors they shall not be isolated, but shall be grouped together and a light shall be maintained so that every place where there are steps in inclosing aisles or corridors shall be clearly lighted. All aisles, passageways, corridors and exits shall be kept free from camp stools, chairs, sofas, and other obstructions, and no person shall be allowed to stand in or occupy any of such aisles, passageways, corridors or exits during any performance, service, exhibition, lecture, concert or any public assemblage.

**336. Corridors, passageways, hallways, and doors—width of.]** The width of corridors, passageways, hallways and doors shall be computed in the same manner as that hereinbefore provided for stairways, excepting, however, that no corridor shall be anywhere less than four feet in width, and no door less than three feet wide, except as otherwise herein provided.

All corridors, passageways, hallways, and stairways, leading from any balcony or gallery to any toilet room, retiring room, smoking room, check room or private office, shall permit of free passage, without returning to an outer exit of the building. Such corridors, passageways, hallways, and stairways shall be at least three feet in width in every part between such balcony or gallery and such outer exit, and shall be unobstructed in every part except by doors, not less than three feet in width, in the clear, which shall swing outward and which shall not be provided with locks or catches of any kind whatever.

**337. Doors—entrance.]** The entrance doors to every theater shall be of sufficient width to accommodate the entire audience, computed on the basis of twenty inches of width in the clear to each one hundred permanent seats and in addition thereto a proportionate part of twenty inches for a fractional part of each one hundred seats in the audience room or auditorium.

No mirrors shall be so arranged as to give the appearance of a doorway, exit, hallway or corridor, when no such doorway, exit, hallway or corridor is really in existence, nor shall there be any false doors or windows giving the appearance of an opening where none really exists.

**Walls.—Ledges.]** See section 588.

**Doors and windows—when required to be closed—fire-resisting glass.]** See section 632.

**338. Emergency exits—width—emergency stairs—width—emergency exits inside walls of buildings—fire escapes, construction—fire escapes leading to street or alley—doors open outward.]** Emergency exits and stairways shall be provided separately for each floor, balcony and gallery. They shall be of the same aggregate width as that provided for the main exits, and no emergency exit, doorway or stair-

way shall be less than three feet in width. Such emergency stairways shall be made of iron, steel or other incombustible materials. Such emergency exits shall be kept free of obstructions of any kind, including snow and ice.

Such emergency exits and stairways may be built inside the walls of the building, provided they are surrounded by a fireproof partition not less than four inches thick separating the exits and stairways from the audience room or auditorium.

If such emergency exits lead outside the building, all openings leading thereto shall have metal frames filled with fire-resisting glass doors opening outward hung from the inside corner of the jambs, and so constructed as not to project, when opened, beyond the outside face of wall, and outer shutters shall not be permitted.

Whenever any such emergency stairway passes over an exit door or window or other opening, such stairway shall be completely inclosed for a space of five feet greater in width than such opening, by iron, steel or other incombustible material.

All such emergency exits and stairways shall land at the ground level in a public thoroughfare or in some space that connects directly with a street or alley, and direct and immediate exit to such public thoroughfare shall not be obstructed by any doors, gates, bars or other obstruction of any character.

Every court in which there is an emergency stairway shall have direct and unobstructed access along the surface of the ground to a street, alley or yard opening into an alley, or street, without entering into or passing through or over any building unless by a four-foot wide fireproof passage on the court or ground level.

All doors in openings from any and all exits and stairways shall be so constructed that when opened they shall not obstruct any portion of any other doorway, opening or passageway.

All doors affording ingress to or egress from any theater shall open outward upon suitable hinges.

**339. Exit doors—particulars as to.]** Exit doors shall not be obscured by draperies and shall not be locked or fastened in any manner during the entire time such theater is open to the public, so as to prevent them from being easily opened outwardly; and such doors shall be so constructed and maintained as to require no special knowledge or effort to open them from the interior.

**340. Wall—brick proscenium wall between auditorium and stage—steel curtain fireproofed on stage side—no combustible material on audience side—plans for curtain—permit from building department—inspection—fee.]** There shall be in every theater a solid brick wall of the same construction and thickness as is required in outside walls between the auditorium and the stage. The main proscenium opening shall have a substantial steel curtain vertically operated and fireproofed on the stage side, which shall be raised and lowered by



mechanical power and which shall be in constant use as the regular curtain and act drop.

No combustible material other than painted decorations shall be applied to the audience side of such curtains.

Plans for such curtain shall be approved by the building department and a permit obtained for its erection. The building department shall inspect such curtain semi-annually, for which inspection a fee of two dollars shall be charged.

All other openings in such proscenium wall shall have iron doors, frames and thresholds.

**341. Stage construction of—fire proof paint—scenery—how treated.]** The framing of the floor of every stage shall be of iron or steel. The stage floor may be of wood, but shall not be less than two and three-fourths inches thick. The entire floor construction and floor of fly galleries, rigging lofts and paint gallery, all railings and supports and stanchions thereon, and all sheaves, pulleys and cables and their supports shall be of iron or steel. All woodwork including the under side of floor boards, and all framing for scenery used on or about the stage shall be coated with a fire proof paint, the qualities of which shall be submitted to and approved by the commissioner of buildings. All wood used for floor and floor supports shall be coated on the underside with the same kind of paint.

No scenery or stage paraphernalia of any sort shall be used upon the stage of any room used for the purposes of Class V., unless such scenery and paraphernalia shall have been treated with a paint or chemical solution which shall make it non-inflammable, and which treated scenery or stage paraphernalia, or both, shall be tested and approved by the fire marshal.

**342. Vestibule of stage doors.]** All doorways or openings in the rear or sides of the stage shall be vestibuled or protected in a manner satisfactory to the commissioner of buildings so as to protect the curtain, scenery and auditorium against draughts of air.

**343. Vents, flue pipes, size of — dampers — switches for dampers.]** One or more vents, or flue pipes, of metal construction, or other incombustible material, suitable for carrying away smoke, approved by the commissioner of buildings and extending not less than fifteen feet above the highest point of the roof, and equivalent in area to one-twentieth of the area of the stage shall be built over the stage.

In buildings where additional stories are built above the stage, such vents or flue pipes may be carried out near the top of the stage walls and shall be continued and run up on the exterior of the building to a point five feet above the highest point of such additional stories.

All such flues or vents shall be provided with metal dampers, and shall be opened by a closed circuit battery, approved by the city

electrician; such dampers shall be controlled by two switches, one at the electrician's station on the stage, which station shall be fireproof, and the other at the city fireman's station on the opposite side of the stage; such switches shall be located at such places on the stage as are designated by the fire marshal, and each shall have a sign with plain directions as to the operation of same printed thereon.

All fuse boxes shall be surrounded by two thicknesses of fireproof material, with an air space between, and no fuses shall be exposed to the air between the switch boards.

**344. Automatic sprinklers — location of — tank — connections.]** There shall be provided an approved system of automatic sprinklers, with approved automatic closed circuit electric devices connecting the valves regulating the flow of water in the various sprinkler pipes, with the headquarters of the city fire alarm telegraph and such other place or places as the fire marshal shall direct, so arranged as to prevent any tampering with the system or the shutting off of the water from the sprinkler pipes without automatic notice to the fire department.

Such system of automatic sprinklers shall be supplied with water from a tank located not less than twenty feet above the level of the highest sprinkler head in the system, and it shall be the duty of the fireman provided for in this chapter to include in his daily report the result of an inspection to determine the sufficiency of water in this tank. Automatic sprinklers shall be placed in the paint room, store room, property room, scene-storage room, carpenter shop and dressing rooms, if such rooms are in or connected with a building used for the purposes of Class V. Such tank shall not be connected with a standpipe and ladder system, but shall be filled through a separate pipe from a fire pump; and a three-inch iron pipe shall extend from such tank to the outside of such building, with siamese connections for fire department use. Such entire automatic sprinkler system and equipment and the location thereof shall be subject to the approval of the fire marshal.

**345. Fire apparatus on stage—hand fire pumps—fire materials—hot air furnaces.]** A standpipe not less than two and one-half inches in diameter, having a hose valve or valves thereon, shall be installed on each side of the stage, with a hose connection at the stage and at each level above and below the stage, and hose connected thereto at each valve ready for use at all times. Such standpipe shall be connected with a tank on the roof containing not less than three thousand gallons of water, protected from frost, and also with a power pump, all of which shall be subject to the approval of the fire marshal. Portable fire extinguishers or hand fire pumps shall always be kept ready for use on and under the stage, in fly galleries and in rigging lofts, and in addition thereto at least four fire department axes and six

pike poles shall be kept ready for use on each tier or floor of the stage, all of which shall be subject to the approval of the fire marshal.

The use of ordinary hot air furnaces or stoves is prohibited.

**346. Exits—diagram of, printed on program.]** It shall be the duty of the owner, lessee or manager of any theater, for any performance in which programs are issued, to cause to be printed on such programs, on the page opposite that upon which the cast is printed, a diagram showing conspicuously all exits of such building. A diagram of seats of each floor, and the exits leading from each floor drawn to a scale of one-eighth inch to the foot, shall be hung in a frame within two feet of the ticket seller's window and so as to be easily seen by the public.

**347. Lighting—-independent lighting system for exits—red light over exits.]** All stairways and corridors shall be supplied with a supplementary lighting system of electricity, gas or sperm oil, and such system shall be independent of all other lights in such building and shall be in operation during the entire period such theater is open to the public and until the audience has left the building. The word "EXIT" shall be in letters at least six inches high over the opening to every means of egress from such theater, and a red light furnished by gas or sperm oil shall be kept burning over such word "EXIT" at every such opening, during the entire period such theater is open to the public and until the audience has left the building.

**348. Fire alarm apparatus.]** Every theater shall be provided with an approved system of automatic or manual fire alarm telegraph apparatus, connected by the necessary wires with the headquarters of the city fire alarm telegraph and such other place or places as the fire marshal may direct. The number and location of the boxes and the character of the system, whether automatic or manual, or both, shall be determined by the fire marshal.

**349. Firemen—employment of—duties.]** It shall be the duty of every person, or corporation, conducting, maintaining or operating a theater, to employ one competent, experienced fireman, who shall be detailed by the fire marshal from the regular city fire department; such fireman shall be in the uniform of the Chicago fire department, and he shall be on duty at such theater during the whole time it is open to the public. He shall report to and be subject to the orders of the fire marshal, and shall see that all fire apparatus required by this chapter is in its proper condition, ready for use, and that all exit doors are unlocked during the whole time such theater is open to the public and are all in efficient and ready working order.

The compensation to be paid the city for the services of such city fireman so detailed and employed shall be based on the regular salary paid by the city to such fireman and shall be computed according to the ratio between the number of hours such fireman is em-

played at such theater and the total number of hours such fireman is employed by the city for all purposes.

It shall also be the duty of every person, or corporation, conducting, maintaining or operating a theater, to employ in addition to the fireman employed by such persons and detailed by the fire marshal, one other experienced and competent person as a private watchman or fireman, who shall be approved by the fire marshal and who shall be in distinctive uniform and shall be on duty at such theater during the whole time it is open to the public. Such private watchman or fireman shall report and be subject to the orders of the fire marshal, and it shall be his duty to see that the provisions of this chapter are complied with in all portions of the theater occupied and used by the public, and that all exit doors are unlocked during the whole time such theater is open to the public and in efficient and ready working order. The city fireman and fire marshal shall require a drill of the employes of such theater, including such private watchman or fireman, in the use of all apparatus and appliances for the prevention of fire inside the building and the saving of life, at least twice in every week, and such city fireman shall report to the fire marshal the manner and efficiency of such drill. Such city fireman shall report in writing, daily, to the fire marshal the condition and equipment of the theater to which he is detailed. No city fireman shall be on duty at any one theater for a longer period than two weeks.

**350. Amusement license.]** The amusement license issued for each theater shall state the number of permanent seats the theater contains, which number shall be governed by the provisions of this ordinance relating thereto, and no more than that number of persons shall be permitted to be in such theater at any one time.

No license for the operation of a theater shall be issued unless the commissioner of buildings, fire marshal and the city electrician shall first have certified in writing that such theater complies with the provisions of this chapter in every respect.

**351. Lighting—all parts well lighted during performances.]** Every portion of any theater devoted to the use or accommodation of the public and all outlets therefrom leading to the streets, including all open courts, corridors, stairways, exits and emergency exit stairways, shall be well and properly lighted during every performance, and the same shall remain lighted until the entire audience has left the premises.

**352. Lights—control of lights in halls, corridors and lobbies—separate shut-off—connections with gas mains—independent connections—protection of suspended and bracket lights—protection of lights inserted in walls—protection of footlights—construction of border lights—ducts and shafts conducting heated air from lights—gas stage lights to have metal screens.]** All gas

or electric lights in the halls, corridors, lobbies or any part of any theater used by the audience, except the auditorium, shall be controlled by a separate shut off, located in the lobby, and controlled only in that particular place. Gas mains supplying such theater shall have independent connections for the auditorium and the stage, and provision shall be made for shutting off the gas from the outside of the building. All suspended or bracket lights surrounded by glass in the auditorium, or in any other part of the theater, shall be provided with proper wire netting underneath. No gas or electric lights shall be inserted in the walls, woodwork, ceilings, or in any part of the theater, unless protected by fireproof materials. In case gas is used, the footlights, in addition to the wire network, shall be protected by a strong wire guard not less than two feet distant from such footlights, and the trough containing such footlights shall be formed of and surrounded by fireproof material. All border lights shall be constructed according to the best known method, and subject to the approval of the fire marshal and the city electrician, and shall be suspended by wire rope. All ducts and shafts used for conducting heated air from the main chandelier, or from any other light or lights, shall be constructed of metal and made double, with an air space between. All gas stage lights shall have strong metal wire guards or screens not less than ten inches in diameter, so constructed that any material coming in contact therewith shall be out of reach of the flames of such lights, and such guards or screens shall be soldered to the fixtures in all cases.

The use of calcium lights in any theater is prohibited. All arc lights used on the stage shall at all times be subject to the approval of the city electrician, and no arc lights shall be used on any stage unless approved by said city electrician.

**353. Fire apparatus — under control of fire department.]** The standpipes, automatic sprinklers, gas pipes, electric wires, hose, footlights, fire alarm boxes, fireproof proscenium curtain, switch boxes, ventilators, controlling levers, axes and pike poles, and all apparatus for the extinguishing of fire or guarding against the same, as provided for by this chapter, shall be made and kept at all times in condition satisfactory to and under the control of the fire marshal.

**354. Officers empowered to enter buildings.]** The commissioner of buildings, fire marshal, city electrician, superintendent of police, or any of them, and their respective assistants, shall have the right to enter any building used wholly or in part for the purposes of Class V., and any and all parts thereof, at any reasonable time, and at any time when occupied by the public, in order to examine such buildings; to judge of the condition of the same and to discharge their respective duties, and it shall be unlawful for any person to interfere with them, or any of them, in the performance of their duties.

**355. The commissioner of buildings, fire marshal, city electrician or**

superintendent of police shall close buildings for violations.] The commissioner of buildings, fire marshal, city electrician and the superintendent of police, or any one of them, shall have the power and it shall be their joint and several duty, to order any building used wholly or in part for the purposes of Class V. closed, where it is discovered that there is any violation of any of the provisions of this chapter, and keep same closed until such provisions are complied with.

**356. License—mayor shall revoke.]** Upon a report to the mayor by the commissioner of buildings, fire marshal, city electrician or the superintendent of police that any requirement of this chapter or that any order given by them or any of them in regard thereto has been violated, or not complied with, the mayor shall revoke the license of any such theater or place of amusement so reported and cause the same to be closed.

**BUILDINGS OF CLASS V. HEREAFTER ERECTED.**

**357.]** The following provisions shall apply to buildings hereafter erected and used wholly or in part for the purposes of Class V.

**358. Walls—outside walls—structures built above.]** The outside walls of all such buildings, the roofs or ceilings of which are carried on trusses or girders of a span of fifty feet or more, shall be as follows:

If such walls are less than twenty-five feet high, they shall not be less than twenty inches thick.

If they are more than twenty-five feet and less than forty-five feet high, they shall not be less than twenty-four inches thick.

If they are more than forty-five feet and less than sixty feet high, they shall be not less than twenty-eight inches thick.

If they are more than sixty feet and less than seventy-five feet high, they shall be not less than thirty-two inches thick.

If they are more than seventy-five feet and less than ninety feet high, they shall be not less than thirty-six inches thick.

An increase of four inches in thickness of such walls shall be made in all cases where they are over one hundred feet long without cross walls of equal height.

The thickness of the inclosing or surrounding walls of rooms used for the purposes of Class V., where such rooms are less than fifty feet wide, may be reduced by four inches.

If one or more stories are built above any room devoted to the uses of Class V., and such stories are carried on trusses or girders, the thickness of walls shall be increased by four inches for each two stories or part thereof above such room.

If solid masonry buttresses are employed and placed eighteen feet or less apart, and extended to the foot of the trusses or girders carry-

ing the ceiling, or if iron or steel columns are inserted in such walls for the support of the superstructure, and at distances not more than twenty-four feet between centers, and if such columns extend to and carry the superimposed trusses or girders, the thickness of such walls may be reduced in proportion to the increase of strength afforded by such buttresses or columns, but in no case shall any such wall be less than twelve inches thick in the top story, and four inches shall be added, going downward, for each story, for each gallery, or for each twenty-five feet in height of wall.

**359. Columns in walls.]** If iron or steel columns are introduced in such walls, the brickwork around such columns shall be bonded into the brick work of the connecting wall, and each of such columns shall be fireproofed, as provided in section 511 of this chapter.

Walls around stairs, elevators and shafts. See section 588.

**360. Construction—frontage—open spaces and inclosed passages.]** All buildings hereafter erected and used wholly or in part for the purposes of Class V. shall be built entirely of fireproof construction and shall be located so that they adjoin at least two public thoroughfares, one of which shall be a public street, and the other may be a public alley not less than ten feet in width.

All floors, balconies and galleries of the audience room of every theater shall have open spaces or fireproof passageways on the three sides other than the proscenium; and on each of the two opposite sides other than the back and proscenium of every stage there shall be open spaces or fireproof passageways, and such open spaces or fireproof passageways shall open on or connect directly with the public thoroughfares.

All open spaces shall be not less than ten feet in width and all fireproof passageways shall be not less than eight feet in width, and shall be outside of the audience room, and shall be kept and maintained free and clear of obstructions of any and all kinds at any and all times.

All open spaces shall be open and unobstructed from the floor or pavement of such space to the sky, with the exception that emergency stairs and emergency balconies may be built in such open spaces. The entire floor of every open space shall be level, or inclined; the incline shall not exceed two inches in height for each one foot of horizontal measurement.

If one or more fireproof passageways are required on one side of the stage, then, the fireproof passageways of each floor and the balcony and each gallery of the audience room shall be continued through the stage house as fireproof passageways to an open space or public thoroughfare, and from the end of each such fireproof passageway there shall be doors or stairs, or both, which shall be arranged so as to afford a safe exit for the audience of such theater to the pave-

ment of the public thoroughfares, and if fireproof passageways are required on both sides of the stage, then they shall be arranged and connected with all of the fireproof passageways on both sides of the audience room in the same manner as described for fireproof passageways when these are required only on one side of the stage.

The fireproof passageways for the main floor may pass under the stage floor.

Provided, however, that where there is no public thoroughfare or open space at the back of the stage and on one side of the stage, then the fireproof passageways for the main floor shall be on the stage floor and shall be built along that side of the stage on which there is no public thoroughfare and across the back of the stage to one of the public thoroughfares, and the fireproof passageways for the balcony and the fireproof passageways for the galleries shall each be built along the side of the stage and across the back of the stage, in a continuation of the balcony and gallery floor level to a public thoroughfare.

The fireproof passageways of the different floors, of the balcony and of the galleries, shall be independent of each other and shall not be connected with each other in any manner.

No doors or other openings except entrance doors from the audience room or exit doors to a thoroughfare shall be in the walls of a fireproof passageway; and all such doors shall be so arranged that when open they shall not obstruct the passage.

The walls of a fireproof passageway shall be not less than four inches thick, and each and every part of such passageway, including each and all of its supports, shall be built of fireproof construction as required in the general provisions relating to fireproof construction of this chapter.

Radiators for warming passageways shall be in recesses.

There shall be no steps or risers in a fireproof passageway, but where necessary inclined floors of the full width of the fireproof passageways may be built; the incline of the floor shall not exceed two and one-half inches in height per foot measured horizontally, and no such incline shall be less than ten feet in length. No fireproof passageway shall be less than eight feet high in any part thereof, except at doors, and these shall not be less than seven feet high.

If the principal entrance corridor of a theater is at one side of the audience room, then the center line extended of such principal entrance shall intersect the center axis of the stage and the audience room between the back of the seat most remote from the stage on said center axis of the stage and the audience room, and a point midway between such seat and the wall opposite the proscenium wall.

**361. Buildings of other classes in conjunction with Class V.—construction of.]** If buildings used wholly or in part for purposes



of Class V. are built in conjunction with or as part of buildings devoted to the uses of other classes, then such buildings of other classes shall be built entirely of fireproof construction.

**362. Floor levels—limitation of.]** In all cases where the floors of the auditorium of any theater in any such building of Class V., are banked or stepped up, the floor level of the lowest bank shall not be above the sidewalk level.

All floors shall be designed and constructed in such manner as to be capable of bearing in all their parts, in addition to the weight of floor construction, permanent fixtures and mechanisms that may be set upon the same, a live load of one hundred pounds for every square foot of surface in such floors.

The audience room or rooms or auditorium or auditoriums used for the purposes of Class V., containing in the aggregate not more than five hundred seats, if in a fireproof building, may be located in any story thereof, but in such case there shall be at least two separate stairways from the floor or floors in which such audience room or auditorium is located to the ground, each of which stairways shall be not less than four feet in width in the clear.

**363. Stairways—entrances and exits.]** Stairways affording ingress to or egress from any room used for the purposes of Class V. shall be in width equivalent to twenty inches for every one hundred of seating capacity of such room, and for fractional parts of one hundred a proportionate part of twenty inches of width shall be added, but in no event shall any such stairway be less than four feet wide in the clear, except as hereinafter provided.

All such stairways shall have hand railings on each side thereof, and shall not ascend a greater height than thirteen feet six inches without a level landing, and the length and width of such landing shall be not less than the width of the stairs; no run of stairs shall consist of less than six risers between platforms, and risers shall not be placed on return platforms. Stairways which are over seven feet wide shall have double intermediate handrails with end newel posts at least five and a half feet high.

Steps shall not have a greater rise than seven and three-eighths inches, treads shall not be narrower than eleven inches, and winders shall not be used on any staircase.

Each and every balcony and gallery shall have separate and distinct entrances and stairways from the sidewalk level. The bottom run of the stairs shall be directly toward the street. Such stairs may ascend from the vestibule or entrance inside of the building, but the bottom riser of such stairs shall be not more than sixty-five feet from the building line. All doors between such stairs and the street shall be kept unlocked and unfastened during each and every performance and until the audience has left the building.

There shall be an iron stairway or stairways from the stage to the

fly gallery and gridiron, continuing to the roof of the building or to some fireproof passageway or exit. Such stairways may be circular. Such circular stairways, however, shall not be used for access to the dressing rooms.

Stairs leading to a box or boxes seating not to exceed thirty people in the aggregate shall be independent of all other stairs and seats, and not less than two feet eight inches wide in the clear. For each additional twenty-five of seating capacity or major portion thereof in such box or boxes there shall be an additional five inches in width of such stairway.

All stairways on the stage side of the proscenium wall shall be not less than two feet six inches wide.

**364. Floors at exits—seating.]** Floors at all exits shall be so designed as to be level and flush with adjacent floors and shall extend for an unbroken width of not less than four feet in front of each exit, and shall be two feet wider than such exit.

More than ten seats in any one row between aisles shall not be lawful.

Seats shall not be less than twenty-two inches in width, measured at the top of the seat backs.

Rows of seats shall be not less than two feet ten inches from back to back.

No bank of seats shall have a greater rise than twenty-two inches.

All groups of seats shall be so arranged that there shall be an aisle at each side of each group, provided groups of five seats or less may abut upon a tunnel at one side and an aisle at the other side.

The number of banks of seats on the main floor shall not exceed fifteen, unless an intervening or cross aisle is provided between each fifteen banks of seats or a direct exit is provided for each aisle. The number of banks of seats in the "balcony" shall not exceed nine, unless an intervening or cross aisle is provided between each nine banks of seats or a direct exit is provided for each aisle.

**365. Tunnels—cross aisles—vertical rise—foyer.]** There shall be no more than eleven feet rise, measured vertically, in any aisle in any gallery without a direct exit by tunnel or otherwise, to a corridor with free opening on to the gallery stairs or other direct discharge to the street, or at any such elevation of eleven feet an intervening or cross aisle leading directly to an exit. No tunnel shall be less than three feet wide in the clear.

No foyer shall be open to the theater proper except through the exits.

**366. Main floor—balcony and gallery—designation of.]** The lower floor shall be designated the "main floor."

Where there are balconies or galleries, the first balcony or gallery shall be designated the "Balcony," and the second and third balcony or gallery shall be designated, respectively, "Gallery" and "Second

Gallery." Such designations shall be printed plainly on all admission tickets.

**367. Aisles and passageways—kept unobstructed—steps in aisles.]** The minimum width of aisles with diverging sides in any room or auditorium used for the purposes of Class V. shall be two feet eight inches at the end near the stage, and not less than three feet at the other end.

The minimum width of aisles with parallel sides shall be three feet.

Every aisle shall lead directly to an exit. Steps shall not be permitted in aisles except as extending from bank to bank of seats, and no riser shall be more than seven and three-eighths inches in height, and no tread shall be less than ten inches in width, and whenever the rise from bank to bank of seats is less than five inches, the floor of the aisles shall be made as an inclined plane and where steps are placed in outside aisles or corridors, they shall not be isolated, but shall be grouped together, and a light shall be maintained so that every place where there are steps in inclosing aisles or corridors shall be clearly lighted. All aisles, passageways, corridors and exits shall be kept free from camp stools, chairs, sofas and other obstructions, and no person shall be allowed to stand in or occupy any of such aisles, passageways, corridors or exits during any performance, service, exhibition, lecture, concert, or at any public assemblage.

**368. Corridors—passageways—hallways and doors—width of entrance doors.]** The width of corridors, passageways, hallways and doors shall be computed in the same manner as that hereinbefore provided for stairways, excepting, however, that no corridors shall be anywhere less than four feet in width and no doorway less than three feet wide, except as otherwise herein provided.

All corridors, passageways, hallways, and stairways leading from any balcony or gallery to any toilet room, retiring room, smoking room, cloak room, check room, or private office, shall permit of free passage, without returning, to an outer exit of the building. Such corridors, passageways, hallways and stairways shall be at least three feet in width in every part between such balcony or gallery and such outer exit, and shall be unobstructed in every part, except by doors not less than three feet in width in the clear, which shall swing outward and which shall not be provided with locks or catches of any kind whatever.

The entrance doors to every theater shall be of sufficient width to accommodate the entire audience, computed on the basis of twenty inches of width in the clear to each one hundred permanent seats or proportionate part thereof in the audience room or auditorium of such theater, and all doors shall be so arranged that when open they shall not obstruct any corridor or passage whatsoever into which they open.

No mirrors shall be so arranged as to give the appearance of a doorway, exit, hallway or corridor, when no such doorway, exit, hallway or corridor is really in existence, nor shall there be any false doors or windows giving the appearance of an opening where none really exists.

**369. Emergency exits, width—emergency stairs, width—emergency exits inside walls of buildings—fire escapes, construction—fire escapes leading to street or alley — doors open outward.]** Emergency exits and stairways shall be provided separately for each floor, balcony or gallery. They shall be of the same size as that provided for the main exits, and no emergency exit, doorway or stairway shall be less than three feet in width. Such emergency stairway shall be made of iron, steel, or other incombustible material. Such emergency exit shall be kept free of obstructions of any kind, including snow and ice.

Such emergency exits and stairways may be built inside the walls of the building, provided they are surrounded by a fireproof partition not less than four inches thick, separating the exits and stairways from the audience room or auditorium.

If such emergency exits lead outside the building, the openings leading thereto shall have metal door frames and metal doors with panels filled with fire-resisting glass, opening outward, hung from the inside corner of the jambs, and so constructed as not to project when opened beyond the outside face of the wall, and outer shutters shall not be permitted.

Whenever any such emergency stairway passes over an exit door or window or other opening, such stairway shall be completely inclosed for a space of five feet greater in width than such opening, by iron, steel or other incombustible material.

All such emergency exits and stairways shall land at the ground level in a public thoroughfare or in some space that connects directly with a street or alley, and direct and immediate exit to such public thoroughfare shall not be obstructed by any door, gate, bars or other obstruction of any character.

Every court in which there is an emergency stairway shall have direct and unobstructed access along the surface of the ground to a street, alley, or yard opening into an alley or street, without entering into or passing through or over any building unless by a four foot wide fireproof passage on the court or ground level.

All doors in openings from emergency exits and stairways shall be so constructed that when opened they will not obstruct any portion of any other doorway, opening or passageway.

All doors affording ingress to or egress from any theater shall open outward upon suitable hinges.

Exit doors shall not be obscured by draperies and shall not be locked or fastened in any manner during the entire time such theater

is open to the public, so as to prevent them from being easily opened outwardly; and such doors shall be so constructed and maintained as to require no special knowledge or effort to open them from the interior.

**370. Wall—brick—proscenium between auditorium and stage—steel curtain fireproofed on stage side—no combustible material on audience side—plans for curtain—permit from building department—inspection fee.]** There shall be a solid brick wall, of the same construction and thickness as is required in the outside walls of the building in which such theater is located, between the auditorium and the stage.

The main proscenium opening shall have a vertically operated steel curtain which shall, when it is lowered, completely close such proscenium opening. The curtain shall be raised and lowered by mechanical power, other than hand power, as the regular curtain and act drop each and every time there is an audience in the theater.

The lowering of the curtain shall be controlled from not less than two points in the building, one of which shall be designated by the commissioner of buildings.

The curtain shall have a steel covering on the outer or auditorium side. The stage side covering shall be of a nonconducting substance of such a thickness and such material as shall stand a test of two thousand degrees F. on the stage side for fifteen minutes and without heating the opposite side to a higher temperature than three hundred and fifty degrees F.

All metal work with the exception of the frame shall be covered with a nonconducting substance on the stage side.

The curtain shall operate vertically in steel guides of such a cross section that the edges shall engage and secure the edges of the curtain and prevent the curtain from leaving the guiding channel or channels if the curtain should tend to buckle or bag either inward or outward. No metal in the guide channels or in the engaging edge of the curtain shall be less than three eighths of an inch thick. The joints of the curtain with the proscenium wall, with the stage floor and with the head of the opening shall be made gas tight as nearly as practicable.

The calculations for the strength of the curtain, the curtain guides and the guide anchors, and the workmanship shall be according to the best modern engineering practice, the stresses in the material and in the various sections of steel shall be within the safe limits of stress described in this ordinance.

No part of a curtain or of the curtain guides shall be supported by or fastened to any combustible material.

The supports of the curtain and the curtain guides and edges and the curtain shall be of sufficient strength to safely resist a pressure of

twenty pounds for each and every square foot of the curtain either inward or outward, if such curtain does or does not bag.

No combustible material other than painted decorations shall be applied to the audience side of any such curtain.

Plans for every such curtain shall be approved by the building department and a permit obtained for its erection. The building department shall inspect such curtain semi-annually, and for each such inspection a fee of two dollars shall be charged.

All other openings in such proscenium wall shall have self-closing, regulation standard iron fire doors and iron frames and thresholds; such doors and frames shall be built in such a manner as to resist warping.

**371. Stage, construction of—fireproof paint—scenery—how treated.]** The framing of the floor of every stage shall be of iron or steel or fireproof material. The stage floor may be of wood, but shall not be less than two and three-fourths inches thick. The entire floor construction and floor of fly galleries, rigging lofts and paint galleries, all railings and supports and stanchions thereon, and all sheaves, pulleys and cables and their supports shall be of iron or steel. All woodwork, including the under side of floor boards, and all framing for scenery used on or about the stage shall be coated with a fireproof paint, the qualities of which shall be submitted to and approved by the commissioner of buildings. All wood used for floor and floor supports shall be coated on the under side with the same kind of paint.

No scenery or stage paraphernalia of any sort shall be used upon the stage of any room used for the purposes of Class V., unless such scenery and paraphernalia shall have been treated with a paint or chemical solution which shall make it non-inflammable, and which treated scenery or stage paraphernalia, or both, shall be tested and approved by the fire marshal.

**372. Vestibules for stage doors.]** All doorways or openings in the rear or sides of the stage shall be vestibuled or protected in a manner satisfactory to the commissioner of buildings, so as to protect the curtain, scenery and auditorium against draughts of air.

**373. Structures over ceiling—construction.]** If any structure is built over the ceiling or roof of any theater, the different members of the girders or trusses supporting same shall have their fireproofing double, in the manner prescribed for columns of fireproof buildings as specified in the general provisions of this chapter.

**374. Vents—size of—flue pipes—dampers—switches for dampers.]** One or more vents or flue pipes of metal construction, or other incombustible material, suitable for carrying away smoke, and approved by the commissioner of buildings, and extending not less than fifteen feet above the highest point of the roof, and equivalent in

area to one-twentieth of the area of the stage, shall be built over the stage.

In buildings where additional stories are built above the stage, such vents or flue pipes may be carried out near the top of the stage walls and shall be continued and run up on the exterior of the building to a point five feet above the highest point of such additional story.

All such flues or vents shall be provided with metal dampers, and shall be opened by a closed circuit battery, approved by the city electrician.

Such dampers shall be controlled by two switches, one at the electrician's station on the stage, which station shall be fireproof, and the other at the city fireman's station, on the opposite side of the stage; such switches shall be located in such places on the stage as are designated by the fire marshal, and each shall have a sign with plain directions as to the operation of the same printed thereon.

All fuse boxes shall be surrounded by two thicknesses of fireproof material, with an air space between, and no fuses shall be exposed to the air between the switchboards.

**375. Automatic sprinklers—location—tank—connections.]** There shall be provided an approved system of automatic sprinklers with approved automatic closed circuit electric devices connecting the valves, regulating the flow of water into the various sprinkler pipes with the headquarters of the city fire alarm telegraph and such other place or places as the fire marshal shall direct so arranged as to prevent any tampering with the system or the shutting off of the water from the sprinkler pipes without automatic notice to the fire department.

Such system of automatic sprinklers shall be supplied with water from a tank located not less than twenty feet above the level of the highest sprinkler head in the system, and it shall be the duty of the firemen provided for in this chapter to include in their daily report the result of an inspection to determine the sufficiency of water in this tank. Automatic sprinklers shall be placed in the paint room, store room, property room, scene storage room, carpenter shop and dressing rooms, if such rooms are in or connected with a building used for the purposes of Class V. Such tank shall not be connected with a standpipe and ladder system, but it shall be filled through a separate pipe from a fire pump, and a three-inch iron pipe shall extend from such tank to the outside of such building with siamese connections for fire department use. Such entire automatic sprinkler system and equipment and the location thereof shall be subject to the approval of the fire marshal.

**376. Fire apparatus on stage—hand fire pumps—fire materials—hot air furnaces.]** A standpipe not less than three inches in diameter,

having a hose valve or valves thereon shall be installed on each side of the stage with a hose connection at the stage and at each level above and below the stage, and hose connected thereto at each valve ready for use at all times. Such standpipe shall be connected with a tank on the roof containing not less than three thousand gallons of water, protected from frost, and such tank shall be connected with and supplied by a power pump, all of which shall be subject to the approval of the fire marshal. Portable fire extinguishers or hand fire pumps shall always be kept ready for use on and under the stage, in fly galleries and in rigging loft, and in addition thereto at least four fire department axes and six pike poles shall be kept ready for use on each tier or floor of the stage, all of which shall be subject to the approval of the fire marshal.

The use of ordinary hot air furnaces or stoves is prohibited.

**377. Exits—diagram of—printed on programs.]** It shall be the duty of the owner, lessee or manager of any theater, for any performance in which programs are issued, to cause to be printed on such programs on the page opposite that on which the cast is printed, a diagram showing conspicuously all exits of such building. A diagram of seats on each floor, and the exits leading from each floor drawn to a scale of one-eighth inch to the foot, shall be hung in a frame within two feet of the ticket seller's window and so as to be easily seen by the public.

**378. Independent lighting system for exits—red light over exits.]** All stairways and corridors shall be supplied with a supplementary lighting system of electricity, gas or sperm oil, and such system shall be independent of all other lights in such building, and shall be in operation during the entire period such theater is open to the public and until the audience has left the building. The word "EXIT" shall be in letters at least six inches high over the opening to every means of egress from such theater, and a red light furnished by gas or sperm oil shall be kept burning over such word "EXIT" at every such opening, during the entire period such theater is open to the public and until the audience has left the building.

**379. Fire alarm apparatus.]** Every theater shall be provided with an approved system of automatic or manual fire alarm telegraph apparatus, connected by the necessary wires with the headquarters of the city fire alarm telegraph and such other place or places as the fire marshal shall direct. The number and location of the boxes and the character of the system whether automatic or manual, or both, shall be determined by the fire marshal.

**380. Firemen—employment of—duties of.]** It shall be the duty of every person, or corporation, conducting, maintaining, or operating a theater to employ one competent, experienced fireman, who shall be detailed by the fire marshal from the regular city fire department; shall be in the uniform of the Chicago fire department; shall be on



duty at such theater during the whole time it is open to the public; shall report to and be subject to the orders of the fire marshal; shall see that all fire apparatus required by this chapter is in its proper condition, ready for use; all exit doors unlocked during the whole time such theater is open to the public, and all in efficient and ready working order.

The compensation to be paid the city for the services of such city fireman so detailed and employed shall be based upon the regular salary paid by the city to such fireman and shall be computed according to the ratio between the number of hours such fireman is employed at such theater and the total number of hours such fireman is employed by the city for all purposes.

It shall also be the duty of every person or corporation conducting, maintaining or operating a theater, to employ, in addition to the fireman employed by such person and detailed by the fire marshal, one other experienced and competent person as a private watchman or fireman, who shall be approved by the fire marshal; shall be in a distinctive uniform; shall be on duty at such theater during the whole time it is open to the public; shall report to and be subject to the orders of the fire marshal, and whose duty it shall be to see that the provisions of this chapter are complied with in all portions of the theater occupied and used by the public; shall see that all exit doors are unlocked during the whole time such theater is open to the public, and in efficient and ready working order. The city fireman and fire marshal shall require a drill of the employes of such theater, including such private watchman or fireman, in the use of all apparatus and appliances for the prevention of fire inside the building and the saving of life, at least twice in every week, and such city fireman shall report to the fire marshal the manner and efficiency of such drill. Such city fireman shall report in writing, daily, to the fire marshal the condition and equipment of the theater to which he is detailed. No city fireman shall be on duty at one theater for a longer period than two weeks.

**381. Amusement license.]** The amusement license issued for each theater shall state the number of permanent seats it contains, which number shall be governed by the provisions of this chapter relating thereto, and no more than that number of persons shall be permitted in such theater at any one time.

No license for the operation of a theater shall be issued unless the commissioner of buildings, fire marshal and city electrician shall first have certified, in writing, that such theater complies with the provisions of this chapter in every respect.

**382. Lighting—all parts well lighted during performances.]** Every portion of any theater, devoted to the uses or accommodation of the public, and all outlets therefrom to the streets, including open courts, corridors, stairways, exits and emergency exit stairways, shall

be well and properly lighted during every performance and the same shall remain lighted until the entire audience has left the premises.

**383. Lights—control of lights in halls, corridors and lobbies—separate shut-off—connections with gas mains—independent connections—protection of suspended and bracket lights—protection of lights inserted in walls—protection of footlights—construction of border lights—ducts and shafts conducting heated air from lights—gas stage lights to have metal screens.]** All gas or electric lights in the halls, corridors, lobbies or any other part of any theater used by the audience, except the auditorium, shall be controlled by a separate shut-off located in the lobby and controlled only in that particular place. Gas mains supplying such theater shall have independent connections for the auditorium and the stage and provision shall be made for shutting off the gas from the outside of the building. All suspended or bracket lights surrounded by glass, in the auditorium, or in any other part of the theater, shall be provided with proper wire netting underneath. No gas or electric lights shall be inserted in the walls, woodwork, ceiling, or in any part of the theater unless protected by fireproof materials. In case gas is used for the footlights, in addition to the wire network, they shall be protected by a strong wire guard, not less than two feet distant from such footlights, and the trough containing such footlights shall be formed of and surrounded by fireproof material. All border lights shall be constructed according to the best known methods, and subject to the approval of the fire marshal and the city electrician, and shall be suspended by wire rope. All ducts and shafts used for conducting heated air from the main chandelier, or from any other light or lights, shall be constructed of metal and made double, with an air space between. All gas stage lights shall have strong wire metal guards or screens, not less than ten inches in diameter, so constructed that any material coming in contact therewith shall be out of reach of the flames of such lights, and shall be soldered to the fixtures in all cases.

The use of calcium lights in any theater is prohibited. All arc lights used on the stage shall be at all times subject to the approval of the city electrician, and no arc lights shall be used on any stage unless approved by the city electrician.

**384. Fire apparatus to be under control of fire department.]** The standpipes, automatic sprinklers, gas pipes, electric wires, hose, footlights, fire alarm boxes, fireproof proscenium curtains, switch boxes, ventilators, controlling levers, axes and pike poles, and all apparatus for the extinguishing of fire or guarding against same, as provided for by this chapter shall be made and kept at all times in condition satisfactory to and under control of the fire marshal.

**385. Officers empowered to enter buildings.]** The commissioner of buildings, fire marshal, city electrician, superintendent of police, or any of them, and their respective assistants, shall have the right

to enter any buildings used wholly or in part for the purpose of Class V., and any and all parts thereof, at any reasonable time, and at any time when occupied by the public, in order to examine such buildings and to judge of the condition of the same and to discharge their respective duties, and it shall be unlawful for any person to interfere with them or any of them in the performance of their duties.

**386. The commissioner of buildings, fire marshal, city electrician or superintendent of police shall close buildings for violations.]** The commissioner of buildings, fire marshal, city electrician, or superintendent of police, or any of them, shall have the power and it shall be their joint and several duty to order any building used wholly or in part for the purposes of Class V. closed, where it is discovered that there is any violation of the provisions of this chapter, and to keep same closed until such provisions are complied with.

**387. License—mayor shall revoke.]** Upon a report to the mayor by the commissioner of buildings or fire marshal or city electrician or the superintendent of police that any requirement of this chapter, or that any order given by them or any of them, in regard thereto has been violated, or not complied with, the mayor shall revoke the license of any such theater or place of public amusement so reported and cause the same to be closed.

## ARTICLE IX.

### PROVISIONS RELATING SOLELY TO CLASS VI.

**388. Walls of Class VI., thickness of.]** Buildings of Class VI. shall conform to the following requirements:

The thickness of inclosing walls of buildings of Class VI. shall be made in accordance with the following table, to wit:

	STORIES											
Basement.	1	2	3	4	5	6	7	8	9	10	11	12
Basement and . . . . .	12	8										
Two-story . . . . .	12	12	8									
Three-story . . . . .	16	12	12	12								
Four-story . . . . .	20	16	16	12	12							
Five-story . . . . .	20	16	16	16	12	12						
Six-story . . . . .	20	20	16	16	16	12	12					
Seven-story . . . . .	24	24	20	20	16	16	12	12				
Eight-story . . . . .	24	24	24	20	20	16	16	12	12			
Nine-story . . . . .	28	24	24	20	20	20	16	16	12	12		
Ten-story . . . . .	28	24	24	24	20	20	20	16	16	12	12	
Eleven-story . . . . .	28	28	24	24	24	20	20	20	16	16	12	12
Twelve-story . . . . .	32	28	28	24	24	24	20	20	20	16	16	12

Provided, however, in buildings of steel skeleton fireproof construction, thickness of walls shall be governed by the provisions of section 510 of this chapter.

**Walls around stairs, elevators and shafts.]** See section 588.

**Walls—reinforced concrete.]** See section 554.

**389. Definitions.]** “New tenement house” includes every tenement house hereafter erected and every such new tenement house which shall be increased or diminished in size or otherwise altered after its erection, and every building now or hereafter in existence not now used as a tenement house, but hereafter converted or altered to such use.

“Apartment” is a room or suite of two or more rooms occupied or intended or designed to be occupied as a family domicile.

“Yard” is an open, unoccupied space on the same lot with a tenement house, separating every part of every building on the lot from the rear line of the lot.

“Court” is an open, unoccupied space, other than a yard, on the same lot with a tenement house; a court entirely surrounded by a tenement house is an “inner court;” a court bounded on one side and both ends by a tenement house and on the remaining side by a lot line is a “lot line court;” a court extending to a street, alley or yard is an “outer court.”

“Shaft” includes exterior and interior shafts, whether for air, light, elevator, dumb waiter or any other purpose; a “vent shaft” is one used solely to ventilate or light a water closet compartment, bath room, or pantry.

“Public Hall” is a hall, corridor or passageway not within an apartment.

“Stair Hall” includes the stairs, stair landings, and those portions of the public halls through which it is necessary to pass in getting from the entrance floor to the top story.

“Basement” is a story partly, but not more than one-half—“Cellar” is a story more than one-half—below the level of the street grade nearest the building; where the grade of a street adjacent to a tenement house varies, the mean or average grade of such street opposite the lot containing the tenement house shall be regarded as the grade of such street within the meaning of this chapter.

“Story” is that portion of a building between the top of any floor beams and the top of the floor or ceiling beams next above.

A good quality of brick, laid in lime mortar, of strength and character equal to the requirements of section 587 of this chapter for brick walls, shall be taken as the standard of strength and stability for “solid masonry,” but any other fireproof materials of equal strength and stability to the above standard may be substituted for brick.

**390. Construction of partitions between apartments in frame buildings.]** Every new tenement house more than five stories and basement high shall be of fireproof construction (according to the definition of "fireproof construction" contained in section 500 of this chapter); every new tenement house more than three stories and basement high, but not more than five stories and basement high, shall be of slow-burning or fireproof construction (according to the definition of "slow-burning" or "fireproof" construction as defined in this chapter). In case slow-burning construction be used the cellar and basement construction, including the floor construction of the first story above the cellar or basement shall be of fireproof construction. In all new frame tenement houses outside the fire limits of the city, each suite of apartments shall be separated from the next suite in such building by a wall of incombustible material of such character as the commissioner of buildings may require.

**391. Joists—supports for.]** If in buildings of Class VI. the distance between the inclosing walls is more than twenty-four feet in the clear, there shall be intermediate supports for the joists, which supports shall be either brick walls or iron or steel. If brick walls are used for this purpose they may, in all cases where the thickness of walls is given in the table as sixteen inches or more, be made four inches less in thickness than the dimensions stated in the table.

**Walls—ledges in.]** See section 588.

**392. Fire escapes.]** Every tenement house four or more stories in height shall be provided with a fire escape or fire escapes, such as are required by the statutes of this state and the ordinances of the city. In every case each separate apartment shall have direct access to at least one such fire escape unless such apartment shall have direct access (without passing through any other apartment) to at least two separate flights of stairs leading to the ground, one of which is placed in front and one in the rear of such building, and one of which may be placed outside of the building; but where such separate apartment shall not have access to two such flights of stairs, then there shall be a metal stairway between the balconies of every such fire escape, securely fastened to the walls of the building, not less than two feet wide, with a proper hand rail, instead of the usual vertical ladder. Every court in which there shall be a fire escape shall have direct and unobstructed access along the surface of the ground to a street, alley, or yard opening into the alley or street, without entering into or passing through or over any building, unless by a four-foot wide fireproof passage on the court or ground level.

**393. Fire escapes to be painted.]** Every new fire escape shall be painted with two coats of durable paint, one put on in the shop and the other at once upon the erection of such fire escape.

**394. Bulkheads and scuttles — stairs to.]** Every tenement house shall have in the roof a bulkhead or scuttle, fireproof or covered with

fireproof materials, with stairs or ladder leading thereto; no such roof opening shall be less than two feet by three feet. No scuttle or bulkhead door shall have upon it any lock, but may be fastened on the inside by movable bolts or hooks.

**395. Stairs and halls—in case of alterations—requirements.]** Every now existing and every new tenement house shall have at least two flights of stairs, which shall extend from the entrance floor to the top story. Such stairs and the public halls in every tenement house shall each be at least three feet wide in the clear, and every apartment shall be directly accessible from both such flights of stairs. If any existing tenement house be so altered as to increase the number of apartments therein, or if such building be increased in height, or if the halls and stairs therein be damaged by fire or otherwise to an extent greater than one-half the original cost thereof, the entrance, stair halls, entrance halls and other public halls of the whole building shall be made to conform to the requirements of this chapter as to new tenement houses.

**396. Railings and guards.]** In every tenement house all stairways shall be provided with sufficient railings and guards.

**397. Stairs in non-fireproof buildings, eighty to one hundred and twenty rooms.]** Every new non-fireproof tenement house containing over eighty rooms, exclusive of bath rooms, shall have one additional flight of stairs (over and above the flights hereinbefore provided for) for every additional eighty rooms, or fraction thereof; but if such building contains not more than one hundred and twenty rooms, exclusive of bath rooms, at the owner's option, in lieu of an additional stairway, the stairs and public halls throughout the entire building shall be at least one-half wider than is provided in sections 395 and 402 of this chapter.

**398. Stairs in fireproof buildings, one hundred and twenty rooms and upward.]** Every new fireproof tenement house containing over one hundred and twenty rooms, exclusive of bath rooms, shall have one additional flight of stairs (over and above the flights hereinbefore provided for), for every additional one hundred and twenty rooms or fraction thereof; but if such building contains not more than one hundred and eighty rooms, exclusive of bath rooms, at the owner's option, in lieu of an additional stairway, the stairs and public halls throughout the entire building shall be made at least one-half wider than is provided in sections 395 and 402 of this chapter.

**399. Stairs — entrance to — treads and risers.]** Every flight of stairs required in a tenement house shall have an entrance on the entrance floor from a street or alley, or from a yard or court which opens into a street or alley. All stairs except rear stairs, in new tenement houses, shall have risers not more than seven and three-quarters inches high and treads not less than nine and one-half inches wide exclusive of nosings, except in winding stairs, where all treads

at a point eighteen inches from the strings on the well side shall be at least nine and one-half inches wide, exclusive of nosings.

**400. Stairs and stair halls—over three stories—fire-resisting glass.]** The stairs and stair halls in all new tenement houses more than three stories and basement high shall be constructed of incombustible material throughout, except that the treads of stairs (not less than one and three fourths inches thick) and all hand rails may be of hard wood. All windows in stair halls in new tenement houses more than three stories and basement high opening on inner courts, or shafts, shall be of good quality fire-resisting glass.

**401. Stair halls inclosed in masonry — requirements — exceptions.]** In every new non-fireproof tenement house all stair halls shall be inclosed on all sides with walls of solid masonry of the same dimensions and thickness as specified for inclosing walls. All glass in such stair halls shall be of good quality fire-resisting glass, except where same opens into a street, alley, outer court or yard. There shall be no movable transoms or sash openings from any such stair hall to any other part of the building. This section shall not apply to tenement houses which are not more than three stories and basement high with only one apartment on each floor.

**402. Entrance halls—solid masonry—exceptions—ceilings.]** Every main entrance hall in a new tenement house shall be at least three feet six inches wide in the clear from the entrance up to and including the stair inclosure and beyond this point at least three feet wide in the clear. In every new non-fireproof tenement house, except where there is only one apartment on each floor, such entrance hall shall be inclosed with solid masonry walls and with ceilings covered with incombustible material and shall comply with all the conditions of the preceding sections of this chapter as to the construction of stairhalls. If such main entrance hall is the only entrance to more than one flight of stairs, the several portions of such main entrance hall which separate the entrance of the building from the several flights of stairs respectively shall be increased respectively at least one foot in width for each additional flight of stairs.

**403. Frame buildings not to be enlarged.]** No wooden frame tenement house within the fire limits shall be enlarged either by adding to its height or to its superficial area.

**404. Bay windows—vent shafts—openings.]** All bay windows and all shafts and courts in new tenement houses shall have their walls of brick or other fireproof construction throughout. All openings in vent shafts as well as in shafts for light or ventilation, shall either have fireproof closing doors or else shall be glazed with fire-resisting glass; Provided, however, that the above provisions of this section shall not apply to inclosures about elevators or in a well hole of stairs where the stairs themselves are inclosed in brick or stone walls and are constructed entirely of fireproof materials.

**405. Apartments divided by masonry.]** There shall be a wall of solid masonry of the same thickness as required for outside walls in buildings of this character, extending from the ground to the roof between each set of apartments and around each well hole, court or light shaft; Provided, however, that the wall between apartments above the first story extending from a main stair hall to the outer wall of the building may jog or set over to some point towards the center of the building to provide or allow for an even distribution of space of the rooms adjacent to the same; Provided, however, that such wall above the first story, if supported on iron or steel beams (which shall extend from the brick wall surrounding the main stair hall to the outer wall of the building at each succeeding story), shall be not less than eight inches in thickness, but all brick walls between apartments and around each well hole, court or light shaft which extend from the ground to the roof and above the first story of an apartment building not supported as above described in this section, shall be of the thickness prescribed for buildings of this class in section 388 of this chapter.

**406. Space occupied on lot—plat measurements.]** No new tenement house, alone or with other buildings now or hereafter erected, shall occupy above the first story more than eighty-five per centum of the area of a corner lot or more than ninety per centum of the area of such corner lot, if such corner lot is bounded on three sides by streets or alleys, or more than seventy-five per centum of the area of any other lot, provided that the space occupied by fire escapes, constructed and erected according to law and not more than four feet wide, shall be deemed unoccupied.

At the time of applying for a permit for the erection of a new tenement house the applicant shall submit a plat of the lot showing the dimensions of the same and the position to be occupied by the proposed building, and the position of any other building or buildings that may be on the lot. The measurements shall in all cases be taken at the top of the first story and shall not include any portion of any street or alley.

**407. Corner lot defined—frontages—triangular lots.]** By "corner lot" is meant a lot situated at the junction of two streets or of a street and a public alley not less than sixteen feet in width. Any portion of the width of such lot distant more than fifty feet from such junction shall not be regarded as part of a corner lot, but shall be subject to the provisions of this chapter respecting other than corner lots.

Where, in corner lots, the two frontages are of unequal length, the lesser street frontage shall be taken as the width of the lot. Street frontage alone and not alley frontage shall be considered in determining such lesser frontage. No existing tenement house shall hereafter be enlarged or its lot be diminished or other buildings be placed on its lot so that after such change a larger proportion of any corner



lot or other lot upon which it is situated is covered by buildings than the aforesaid proportions, respectively; Provided, however, that in case of a lot triangular or irregular in shape, bounded on two or more sides by a street and having a number of lineal feet street frontage extending one-twentieth of the number of square feet in the area of such lot, it shall not be necessary to comply with the conditions of this section as to percentage of lot to be covered; and Provided, further, that there shall be no violation of section 411 of this chapter in the erection of any tenement house.

**408. Fire walls—when dispensed with.]** Fire walls of brick not less than twelve inches thick shall be built, extending above the roofs of all adjoining buildings, if such roofs are flat, and also where the building stands upon any line of any lot, excepting street or alley lines. Provided, that where eight-inch walls are permitted in the top story of buildings, or where the building is not over three stories high, the fire walls may be eight inches thick. Such fire walls, where they stand upon lot lines or where they are over the dividing walls between buildings or over the dividing walls in the interior of buildings, where such are called for by this chapter by reason of the great area of such buildings, shall extend at least two feet above the roofs of such buildings. Fire walls upon street and alley lines shall extend not less than eighteen inches above the roofs of such buildings. Fire walls may be dispensed with on street and alley lines, if the top of the roof boards and roof joists are protected against fire for a distance of at least five feet from such street or alley lines by a coating of mortar or hollow tile or porous tile at least two inches thick. Fire walls at street and alley lines may also be dispensed with in all cases where the entire framing and material of the roof shall be made strictly fireproof.

Walls facing upon courts and light shafts shall be treated as in the same category with walls facing upon streets and alleys.

Fire walls shall be covered with a weatherproof coping of incombustible material.

**409. Height — how measured.]** The height of a new tenement house shall not by more than one-half exceed the platted width of the widest street on which it abuts.

Provided, however, that any distance the building sets back from the lot line shall be added to the width of the street in making this computation, but no existing tenement house shall be increased beyond such height. Such height shall be the perpendicular distance from the grade nearest the house to the highest point of the roof (not including as part of the roof any cornice or bulkhead less than eight feet high, or any elevator inclosure less than sixteen feet high).. Where such street grade varies, the mean or average grade thereof opposite such house shall be the datum from which such height shall be measured.

**410. Alley or yard in rear—must have—size of yard increased.]** At the rear of every lot containing a new tenement house (unless the rear of such lot abuts upon a public alley at least ten feet wide) there shall be a yard open and unobstructed from the earth to the sky, except by fire escapes not more than four feet wide, constructed and erected according to law; every part of such yard shall be directly accessible from every other part thereof; such yard shall on corner lots (as above defined) have an area of at least eight per centum of the superficial area of the lot, and shall on other lots have an area of at least ten per centum of the superficial area of the lot. Every such yard shall be increased one per centum of the superficial area of the lot for every story above three stories in height of the tenement house situated thereon, and in no case shall such yard separate any building on such lot by less than ten feet from the rear line of the lot at the nearest point of approach of such building to such rear line.

**411. Requirements in case of enlarging—distance between buildings.]** No existing tenement house shall (unless the rear of the lot upon which it stands abuts upon a public alley at least ten feet wide) hereafter be enlarged or its lot be diminished so that any building on such lot shall at any point approach nearer than ten feet to the rear line of the lot. Where a tenement house, now or hereafter erected, stands upon a lot, other than a corner lot, no other building shall hereafter be placed upon the front or rear of that lot, unless the minimum distance between such buildings be at least ten feet, if neither building exceeds the height of one story; or fifteen feet if either building exceeds the height of one story, but not the height of two stories; and so on, five additional feet to be added to such minimum distance of ten feet for every story more than one in the height of the highest building on such lot.

**412. Courts—porches.]** Every court of every new tenement house shall be open and unobstructed at every point thereof from the bottom thereof to the sky, save by fire escapes or stairs or landings constructed and erected according to law and projecting not more than four feet into courts, which courts shall communicate directly without obstruction into a street, alley or yard. Where porches are constructed in courts, the amount of area of unobstructed space in such courts shall be exclusive of space occupied by stairs and porches. No rear porch shall be constructed which is more than eight feet in width where the construction is of combustible material, and no such rear porches shall be inclosed with other than incombustible material as defined in section 506 of this chapter.

**413. Rooms—habitable—windows—vent shafts.]** In every new tenement house every habitable room, excepting water closet compartments and bath rooms, shall have at least one window opening directly upon a street, alley, yard or court. The total area of the windows opening from any such room (other than water closet com-

partments and bath rooms) upon a street, alley, yard or court, shall be at least one-tenth of the floor area of that room, and the top of at least one window shall be not less than seven feet above the floor and the upper half of that window shall be made so as to open its full width. No window in any such room (other than pantries, water closet compartments and bath rooms) shall have less than ten square feet glass area, and in no such water closet compartment or bath room shall the total window area be less than three square feet glass area, or the width of any window less than one foot; and when any window ventilating any water closet compartment or bath room in any new tenement house opens into a vent shaft, no window from any room other than a water closet compartment, bath room, pantry or hall shall open into such vent shaft.

**414. Windows in lot line walls.]** Windows in addition to those provided for in section 413 of this chapter, if placed in any lot line wall or in any wall nearer to the lot line than is specified in section 416 of this chapter from such lot line, then the sash in such window shall be stationary and glazed with fire-resisting glass.

**415. Courts—inner—sizes of—lot line courts.]** The "inner courts" of all new tenement houses as defined in section 389 of this chapter shall have areas and minimum widths in all parts not less than the widths and areas as follows:

Buildings.	Square Feet.	Least Width.
2 stories .....	100	6 feet
3 stories .....	120	7 feet
4 stories .....	160	8 feet
5 stories .....	250	12 feet
6 stories .....	400	16 feet
7 stories .....	625	20 feet
8 stories .....	840	24 feet

"Lot line courts" shall have areas and minimum widths in all parts not less than one-half of those specified in the above table of "inner courts."

**416. Courts — outer — sizes of — width increased.]** The "outer courts" of all tenement houses defined in section 389 of this chapter shall have not less than the following widths for their minimum in all parts:

Buildings.	Least Width.
2 stories .....	3 feet
3 stories .....	3 feet 6 in.
4 stories .....	4 feet
5 stories .....	6 feet
6 stories .....	8 feet
7 stories .....	10 feet
8 stories .....	12 feet

If the outer or lot line court has windows on opposite sides of the same, the least widths given in the above table for outer courts shall be doubled.

**417. Rooms—sizes and height of—attic and janitor's rooms.]** In every new tenement house, all rooms, except water closet compartments and bath rooms, shall be of the following minimum sizes. In each apartment there shall be at least one room containing not less than one hundred and twenty square feet of floor area, and every other room shall contain at least seventy square feet of floor area. Each room shall be in every part not less than eight feet six inches high from the finished floor to the finished ceiling, but an attic room need be eight feet six inches high in but one-half of its area; provided, that in a basement apartment used for janitor's use only, such room or rooms shall be not less than eight feet high in the clear.

**418. Rooms—changes in existing.]** No room in any now existing tenement house shall hereafter be constructed, altered, converted or occupied for living purposes unless it contains a window having a superficial area not less than one-twelfth the floor area of the room, which window shall open upon a street or alley or upon a yard or court having a superficial area of not less than twenty-five square feet; or unless such room adjoins another room in the same apartment, which other room shall have such a window opening upon such a street, alley, yard or court, and between which two adjoining rooms there shall be a sash window having at least fifteen square feet of glazed surface, the upper half of which shall be so made as to open easily.

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**419. Windows—courts—attic.]** No room in any now existing tenement house which has no such window, as aforesaid, opening upon a street or alley or upon a yard or court having a superficial area of not less than twenty-five square feet, shall hereafter be constructed, altered, converted or occupied for living purposes, unless it contains a floor area of at least sixty square feet and also at least six hundred cubic feet of air space; nor unless every part of the finished ceiling of such room be at least eight feet distant from every part of the finished floor thereof; Provided, that an attic room need be eight feet high in but one-half of its area and such attic room shall not be used for purposes of human habitation other than as a sleeping room.

**420. Air—quantity of for each person.]** No room in any tenement house shall be so occupied that the allowance of air to each person living or sleeping in such room shall at any time be less than four hundred cubic feet for each such person more than twelve years old, and two hundred cubic feet for each such person of the age of twelve years or under.

**421. Alcoves.]** Every alcove shall be deemed a separate room for

all purposes within the meaning of this chapter except such an alcove as, adjoining another room, has at least twenty per centum of entire wall surface of alcove opening to another room.

**422. Light in halls—recesses—returns—doors in.]** In every new tenement house every public hall shall be lighted by at least one window in each story opening directly upon a street, alley, yard or court, or by a skylight. Such window shall be so placed that light may pass directly through it and the hall to the opposite end of the hall, or else there shall be at least one window opening directly upon a street, alley, yard or court in every twenty feet in length or fraction thereof of every such hall, except in so much of any entrance hall as lies between the entrance and the flight of stairs nearest the entrance. In any such public hall, recesses or returns, the length of which do not exceed twice the width of the hall, will be permitted, without an additional window, but otherwise each recess or return shall be regarded for the purposes of this section as if it were a separate hall. Any part of a public hall which is shut off from any other part by a door or doors shall be deemed a separate public hall within the meaning of this section.

**423. Public halls—windows in.]** In every new tenement house one at least of the windows provided to light each public hall or part thereof shall have a glass area of at least twelve square feet.

**424. Rooms and halls—additional.]** Any additional room or hall that may hereafter be constructed or created in an existing tenement house shall comply in all respects with the provisions of this chapter as to size, arrangement, light and ventilation of rooms and halls.

**425. Shafts—inner and outer vent—dimensions.]** Inner or outer vent shafts of all tenement houses as defined in section 389 of this chapter shall be of the following dimensions.

Building.	Square	Least
	Feet.	Width.
2 stories .....	22½	3 feet
3 stories .....	27	3 feet
4 stories .....	36	3 feet
5 stories .....	48	5 feet
6 stories .....	72	6 feet
7 stories .....	96	8 feet
8 stories .....	120	8 feet

**426. Skylight over stairs—ventilating—area of.]** In every new tenement house there shall be in the roof, directly over each stair well, a ventilating skylight, which shall have a glazed surface of the following dimensions: where such tenement house shall not exceed two stories in height, and covering a superficial ground area of not to exceed sixteen hundred square feet, the glazed surface in such

ventilating skylight shall be not less than fifteen square feet in area. For a three-story building, with a superficial ground area of not to exceed sixteen hundred square feet, the glazed surface of such ventilating skylight shall be not less than twenty square feet in area. For all buildings in excess of three stories and covering a superficial ground area in excess of sixteen hundred square feet, the glazed surface of such ventilating skylight shall be not less than twenty-five square feet in area; Provided, however, that such ventilating skylight shall not be required in any of such buildings where the stairways are lighted by a window on each story landing.

If the building is more than three stories high, the skylights shall have at least six inches above same a strong wire netting (wire not lighter than No. 8 and a mesh not coarser than one and one-half by one and one-half inches) unless the glass contains a wire netting within itself.

**427. Flues in walls.]** In every new tenement house there shall be adequate flues in walls of masonry not less than forty-nine square inches area in each chimney running through every floor, within an open fireplace or grate or place for a stove, properly connected with one of such chimney flues, for every apartment, every additional flue used shall not be of less size than the above.

**428. Cellar and basement—ceilings—ventilation.]** All cellar and basement ceilings, unless the floor construction be fireproof, shall be plastered, and that part of the ceiling over the boiler or furnace extending two feet beyond in each direction shall be covered with metal lath and shall be plastered with cement, and every cellar shall be ventilated from both ends.

**429. Damp-proofing—basement walls and floors.]** Every new tenement house shall have all its outside walls below the adjacent ground level plastered on the outside with Portland cement or treated with other approved damp-proofing material, and such walls, as high as the ground level, shall be laid in cement mortar. The basement or cellar shall have a floor of Portland cement concrete not less than three inches in thickness.

**430. Cellar changed for living purposes—requirements—height.]** In no now existing or new tenement house shall any room in the cellar be constructed, altered, converted or occupied for living purposes; and no room in the basement of a tenement house shall be constructed, altered, converted or occupied for living purposes, unless all of the following conditions of this chapter be complied with, and at least one-third of the height of the basement shall be above grade for building; Provided, in each case it shall be at least four feet above the street grade. Such rooms shall be at least eight feet six inches high in all now existing or new tenement houses in every part from floor to the ceiling, except as provided for janitor's use only in section 417 of this chapter.

**431. Water closet.]** There shall be appurtenant to such room or apartment, a water closet conforming to the regulations and ordinances of the city relating to water closets.

**432. Shafts, areas, etc., to extend two inches below the floor—graded—concreted—drained.]** In every new tenement house, the bottom of all shafts, courts and yards which extend to the basement and light and ventilate the living rooms in such basement shall, by means of areas, not less than two feet six inches in their least dimension or otherwise, be extended a distance of at least two inches below the floor level of the part intended to be occupied. All shafts, inner courts and areas which extend to the ground shall be properly concreted, and all shafts, inner and lot line courts, and areas shall be properly graded and drained, and shall be so connected with a street sewer through an intermediate trap or surface basin (where such a sewer is adjacent to the lot), that all water may be drained freely into it.

**433. Sinks—requirement.]** In every new tenement house there shall be in each apartment at least one proper sink with running water. In every now existing tenement house there shall be on every floor, at least, one proper sink with running water, accessible to all the tenants of that floor, without passing through any other apartment, if there be not one such sink in each apartment. In no tenement house shall there be woodwork inclosing sinks located in the public halls; the space underneath sinks shall be left entirely open.

**434. Water closets—access to—windows in—artificial light.]** In every new tenement house there shall be a separate water closet in a separate compartment within each apartment, accessible to each apartment, without passing through any other apartment, provided that where there are apartments, consisting of only one or two rooms there shall be at least one water closet for every two apartments. Every water closet compartment in every new tenement house shall have a window opening upon a street, alley, yard, court or vent shaft, and every water closet compartment in every existing tenement house shall be ventilated by such a window, or else by a proper ventilating pipe running through the roof. Every water closet compartment in every tenement house shall be provided with proper means of artificially lighting the same. If fixtures for gas or electricity are not provided in any such compartment, then the door thereof shall have ground glass or wire glass panels or transoms.

**435. Sanitary requirements.]** No drip trays shall be permitted in new tenement houses. All water closet fixtures in every new tenement house shall be constructed and set up conformably to the requirements of the department of health. All privy vaults used in connection with any existing tenement house shall be replaced by water closets, constructed and set up in conformity with the provisions of this ordinance, whenever connection with a public sewer is in

any way practicable, and the department of health of the city shall be the sole judge as to the practicability of such connection with the public sewer. At least one such water closet shall be provided for every two apartments in each existing tenement house, and such water closets may be located in the yard if necessary. If so located, long hopper closets may be used, provided all traps, flush tanks and pipes be protected against frost.

**436. Loads—allowance for live loads in construction of floors.]** For all buildings of Class VI. the floors shall be designed and constructed in such a manner as to be capable of bearing in all their parts, in addition to the weight of the floor construction, and including the weight of partitions and permanent fixtures and mechanisms that may be set upon the same, a live load of forty pounds for every square foot of surface in such floors.

**437. Pipes through floors.]** In every new tenement house where plumbing or other pipes pass through floors or partitions, the openings around such pipes shall be sealed or made air tight with plaster or other incombustible material, so as to prevent the passage of air or the spread of fire from one floor to another or from room to room.

**438. Catch basins.]** The covers of all catch basins in lots containing tenement houses shall be of stone or iron and shall be placed in courts or yards, flush with the surface of such courts or yards, so that access to such basins may be convenient.

**439. Stairways—fire escapes to be free from incumbrance.]** No incumbrance of any kind shall at any time be placed before, upon or against any stairway, steps or landings or fire escapes in or upon any tenement house. All fire escapes upon tenement houses shall be kept in good order and repair, and every exposed part thereof shall at all times be protected against rust by durable paint.

**440. Water closets—access to.]** In every apartment of three or more rooms in every new tenement house convenient access from the outer door of the apartment to every living room and to every bed room and to every room used as a bedroom and to at least one water closet compartment shall be provided otherwise than through any bedroom or room used as a bedroom.

**441. Buildings damaged by fire, etc.]** If any existing tenement house is hereafter damaged by fire or other cause (including ordinary wear) so that at any time its value be less than one-half its original cost (exclusive of the value of the foundations) such building shall not be repaired or rebuilt except in conformity with the provisions of this chapter applicable to new tenement houses.

**442. Changes or alterations—permits.]** Every new tenement house and all changes or alterations in any existing tenement house shall conform to the requirements of this chapter. No new tenement house shall be begun, nor shall any changes or alterations in any existing



tenement house, such as are referred to in this chapter, be begun until a permit therefor shall have been issued by the building department of the city. Such permit shall be issued only upon an application by the person for whom the building is to be erected or altered, and after approval of the plans and specifications of such tenement house or such changes or alterations by the health department of the city whenever such approval is required by law or ordinance.

**443. Notice to be sent to commissioner of buildings to inspect—certificate to be issued—notice to inspect to be filed.]** It shall be the duty of the owner or his agent, when a tenement house is in course of erection, to notify the commissioner of buildings of the city when the building is or will be ready for lathing, and the commissioner shall, within three days of the time specified, cause an inspection to be made, and if the construction is found to be in accordance with the requirements of this chapter he shall issue or cause to be issued a certificate to that effect; otherwise he shall cause the penalties provided in section 445 of this chapter to be enforced. The commissioner shall file for reference the notice received and shall also file a copy of the certificate in the office of the building department.

**444. Yards, courts, etc.—must comply as to.]** Any tenement house not conforming in itself and in its yards, courts, areas and shafts to the requirements of this chapter, shall not be occupied, or if found occupied shall forthwith be vacated upon notice from the commissioner of buildings, and such tenement house shall not again be occupied until made to conform in all respects with the provisions of this chapter, notwithstanding the issuance of a building permit for the erection or alteration of such building.

**445. Violations—penalty for.]** Any owner, lessee, tenant, occupant or agent of any tenement house, or any architect, contractor, builder or foreman superintending or in charge of the work of construction of any tenement house, violating, disobeying, neglecting or refusing to comply with or resisting the enforcement of any of the provisions of this chapter shall be fined not less than ten dollars nor more than two hundred dollars for each offense; and any violation of any provision of this chapter, if continued after the first fine is imposed, shall, for every week of such continuance, be punishable by an additional fine of not less than ten dollars nor more than two hundred dollars.

**446. Provisions of this chapter not to apply to existing buildings, except under certain circumstances.]** Nothing in this chapter contained shall be considered as requiring alterations in the construction or equipment of buildings in existence at the time of the passage of this ordinance and which at the time of their construction were built in compliance with the ordinances then in force, unless such build-

ings shall not have sufficient or adequate means of egress therefrom or ingress thereto by reason of insufficient or inadequate stairway or stairways improperly located or insufficient or inadequate elevators or elevator equipment, doors, fire escapes, windows or other means of egress or ingress.

If, however, it is desired to enlarge or in any manner materially modify the construction of any existing building, or to make any change in its use or occupation which will transfer it from one class, as defined by this chapter, to another class, then before such enlargement or structural change or modification of building is made, or before such change in its use or occupation may be made, the entire building shall be reconstructed or modified in such manner as to bring the same, when enlarged or altered, or when occupied for its new and different purposes, into accordance with the provisions of this chapter.

**447. Commissioner shall notify.]** Where it shall appear to the said commissioner that any such building has inadequate or insufficient means of egress therefrom or ingress thereto, as aforesaid, he shall notify the owner, agent or person in possession, charge or control of such building of such fact and direct him forthwith to make such alterations and changes in the construction or equipment of such building as are necessary to be made in order to promote the safety of the occupants of such building and of persons using the same and of the public.

**448. Where conflicting with other sections.]** In cases of direct conflict with the provisions of other sections of this chapter relating to other classes, the provisions of the sections relating to Class VI. shall govern in respect to tenement houses.

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## ARTICLE X.

### PROVISIONS RELATING SOLELY TO CLASS VII.

**449. Buildings of Class VII.—construction of.]** Buildings used either wholly or in part for the purposes of Class VII. three stories or less in height may be of ordinary construction.

Such buildings more than three and not exceeding five stories in height shall be of slow-burning, mill or fireproof construction.

Such buildings over five stories in height shall be of fireproof construction.

450. Walls—thickness of.] The thickness of inclosing walls shall conform to the following requirements:

		STORIES											
	Basement.	1	2	3	4	5	6	7	8	9	10	11	12
One-story . . . . .	12	12											
Two-story . . . . .	16	12	12										
Three-story . . . . .	16	16	12	12									
Four-story . . . . .	20	20	16	16	12								
Five-story . . . . .	24	20	20	16	16	16							
Six-story . . . . .	24	20	20	20	16	16	16						
Seven-story . . . . .	24	20	20	20	20	16	16	16					
Eight-story . . . . .	24	24	24	20	20	20	16	16	16				
Nine-story . . . . .	28	24	24	24	20	20	20	16	16	16			
Ten-story . . . . .	28	28	28	24	24	24	20	20	20	16	16		
Eleven-story . . . . .	28	28	28	24	24	24	20	20	20	16	16	16	
Twelve-story . . . . .	32	28	28	28	24	24	24	20	20	20	16	16	16

Provided, however, in buildings of steel skeleton fireproof construction thickness of walls shall be governed by section 510 of this chapter.

Walls, ledges, etc.] See section 588.

Walls around stairs, elevators and shafts.] See section 588.

Walls—reinforced concrete.] See section 554.

451. Stories used for the retail sale of goods—occupation of basement—lockers.] Not more than the lower twelve stories above the street grade shall be used for the retail sale of goods, or for employes locker rooms or for manufacturing purposes in a building devoted wholly or in part to purposes of Class VII., provided, however, the stories above the twelfth story may be used for these or other purposes when the stairs are built as described in section 457 of this chapter.

Not more than one floor of any basement or cellar shall be used for the retail sale of goods. Such floor shall be the floor nearest to the inside street grade. Such floor used for the retail sale of goods shall not be more than twenty feet below the inside street grade.

No sub-basement, cellar or part of a basement below such floor shall be used for the sale of any goods in any manner, but locker and dressing rooms may be placed in the sub-basement, provided the space thus occupied be separated from the remainder of the basement by fireproof partitions and that there be at least two flights of stairs placed as far apart as practicable leading therefrom to the first floor inclosed in fireproof partitions as provided in sections 533 and 534 of this chapter. Such stairs from such locker or dressing rooms shall be in addition to other stairways required by this chapter in such buildings, provided that at least one of such stairways shall open directly on a street, alley or court opening on a street or alley or a fireproof

passage leading to the street, alley or such court. Where more than five lockers are in one room such lockers shall be of incombustible material.

**452. Floor areas—maximum.]** The floor area of any one story or portion of a story used for the purposes of Class VII. of any building of ordinary construction shall not exceed nine thousand square feet.

The floor area of any one story or portion of a story used for the purposes of Class VII. of any building of slow-burning or mill construction shall not exceed twelve thousand square feet.

The floor area of any one story or portion of a story used for the purposes of Class VII. of any building of fireproof construction shall not exceed twenty-five thousand square feet.

**453. Floor areas—exceeding the maximum limits defined in section 452.]** Where any floor or portion of a floor used for the purposes of Class VII. in any building shall exceed in area the maximum number of square feet allowed in the preceding section for the type of construction of such building in which such floor is contained, each such maximum amount of floor area so used shall be separated from other parts of such floor by fire walls or dividing walls built in accordance with the provisions of section 259 of this chapter relating to dividing walls in buildings of Class I.

Where any such floor so used is divided by such fire walls or dividing walls, each such division of such floor shall be provided with stairs, aisles, exits and fire escapes, as is required in this chapter for separate and distinct buildings, and each such division shall be considered as a separate building.

**454. Galleries.]** The area of any one or all of the galleries, mezzanine or intermediate floors in any one story used wholly or in part for the purposes of Class VII. in any building shall not exceed ten per centum of the area of such story, and galleries, mezzanine or intermediate floors of a larger size than the above shall be considered as full stories.

Every gallery, mezzanine or intermediate floor shall have at least one stairway not less than three feet wide.

The height from the floor of any gallery, mezzanine or intermediate floor to the ceiling over same shall not be less than seven feet, and there shall be not less than seven feet space between the bottom of such gallery, mezzanine or intermediate floor and the floor of the story in which such gallery, mezzanine or intermediate floor is placed.

Every gallery, intermediate or mezzanine floor used for the purposes of Class VII. in any building shall be built entirely of fireproof or incombustible construction with the exception of the floor surface and nailing strips, which may be of wood.

No gallery, intermediate or mezzanine floor shall be built without a permit from the department of buildings, and plans showing the

construction and size of such proposed gallery, intermediate or mezzanine floor shall be filed with the department of buildings when a permit is applied for.

**455. Courts of Class VII. buildings.]** Every court or light shaft of every building used wholly or in part for the purposes of Class VII. shall be open and unobstructed from the floor of such court to the sky, with the exception that fire escapes may be built therein, and such courts shall have walls constructed in the same manner as is required for the exterior walls of such buildings; Provided, that no walls inclosing such courts are required on street or alley lot lines.

All windows, doors or other openings in courtwalls of such buildings shall have metal frames, metal sashes and metal doors, with the glazed portion thereof of fire-resisting glass.

**456. Stories—numbering of.]** The first story above the inside street grade shall be designated and known as the first story for all purposes of this chapter, and the stories above shall be numbered, consecutively, the second, third and so on.

**457. Stairways—interior stairways in buildings of Class VII.]** Buildings used wholly or in part for purposes of Class VII. shall have two stairways if the aggregate floor area is five thousand square feet or less, three stairways if the aggregate floor area is more than five thousand square feet and not more than ten thousand square feet, and four stairways if the floor area is more than ten thousand square feet.

The number of stairways and the aggregate width of stairways required for the various floor areas shall be as indicated in the table hereinafter set forth in the following section.

The width of the different stairways need not be alike, and for each four stories, or fractional number of stories, of the building above the first four stories each stairway may be reduced by six inches, as set forth in the table of stairs in section 458, but no stair in a Class VII. building shall be of a less width than three feet.

Stairways in buildings used wholly or in part for the purposes of Class VII. shall be located as far apart as practicable and shall have hand rails on each side thereof, and no such stairway shall be a spiral stairway or have any winders. The height of the individual riser shall not exceed seven and three-eighths inches. The width of the individual tread shall be not less than ten inches. Stairways which are over seven feet wide shall have double intermediate hand rails with end newel posts at least five and one-half feet high.

The bottom of each stairway shall be in the immediate vicinity of the top of the stairs leading to the next lower story, and the line of travel from stairway to stairway shall be direct and easily accessible each to the other.

Every story below street grade shall have not less than two stair-

ways to the first story and each such stairway shall be not less than three feet wide: but where a basement or a cellar is used for the retail sale of goods the stairways from such basement or cellar shall be in number and aggregate width as indicated in the table of stairways set forth in the following section for the lower four stories of the same building.

The whole number of stairways required for any such building shall be complete in every respect from the first floor to the topmost floor, and each stairway shall be extended to the roof.

**458. TABLE OF STAIRWAYS FOR CLASS VII. BUILDINGS.  
AGGREGATE WIDTH OF STAIRWAYS.**

— SQUARE FEET OF —					
Building	1st, 2d, 3d, 4th	5th, 6th, 7th, 8th	9th, 10th, 11th, 12th	13th, 14th, 15th, 16th	Number of Stairways.
	story or stories.	story or stories.	story or stories.	story or stories.	
area.					
25,000	30 feet	27 feet	24 feet	21 feet	6
20,000	25 feet	22 ft. 6 in.	20 feet	17 ft. 6 in.	5
15,000	20 feet	18 feet	16 feet	14 feet	4
14,000	19 feet	17 feet	15 feet	13 feet	4
13,000	18 feet	16 feet	14 feet	12 feet	4
12,000	17 feet	15 feet	13 feet	12 feet	4
11,000	16 feet	14 feet	12 feet	12 feet	4
10,000	15 feet	13 ft. 6 in.	12 feet	10 ft. 6 in.	3
9,000	14 feet	12 ft. 6 in.	11 feet	9 ft. 6 in.	3
8,000	13 feet	11 ft. 6 in.	10 feet	9 feet	3
7,000	12 feet	10 ft. 6 in.	9 feet	9 feet	3
6,000	11 feet	9 ft. 6 in.	9 feet	9 feet	3
5,000	10 feet	9 feet	8 feet	7 feet	2
4,000	9 feet	8 feet	7 feet	6 feet	2
3,000	8 feet	7 feet	6 feet	6 feet	2
2,000 and less	7 feet	6 feet	6 feet	6 feet	2

**459. Stairs—fireproof interior.]** Where an interior stairway and its stair hall of a building used wholly or in part for the purposes of Class VII. are inclosed in all stories of the building by fireproof partitions built as described in section 533 of this chapter for fireproof construction, and where the stairways and landings are built as described in section 534 of this chapter for fireproof construction, and where the doors, frames, sashes and casings and the glazed portions thereof are built as described in section 525 of this chapter for fireproof construction, then such stairway, if not less than five feet in width from first floor to the topmost floor, shall be considered as equivalent of two open stairways; but in no case shall there be less than two stairways in any such building.

**460. Stories—where stories above twelfth are used for Class VII.**

**purposes.]** Where stories above the twelfth story are used for the purposes of Class VII. as hereinbefore described for employes' locker rooms, then the stairways from the first to the topmost floor shall be built and inclosed as described in the preceding section, but the stairways shall be in number and in their aggregate width as required in the table of stairways set forth in section 458 of this chapter.

**461. Stairs—halls—passageways and aisles—signs and lights.]** The stair halls, passageways or stair aisles shall be unobstructed and shall be as wide as the stairs and not less than four feet wide in any place in the clear.

The exit door or doors between floors and stair halls shall be as wide as the stairway to which they afford access, and for each elevator opening into such a stair hall the doors to floors shall be increased two feet in width.

The stairways and stair halls of any building used wholly or in part for the purposes of Class VII. shall be illuminated by gas or electric light, and the gas piping and the electric wiring shall be accomplished by piping and circuits separated and distinct from the general illuminating piping and circuits of the premises. Each stair light shall have a red glass inclosure.

At the bottom of each such stairway there shall be an illuminated red glass sign with the number of the story in which it is situated inscribed thereon in letters not less than six inches high.

**462. Aisles in Class VII. buildings.]** In buildings used wholly or in part for the purposes of Class VII. there shall be aisles in such portions of the buildings as are used for such purposes, connecting the stairways and the elevators directly with the street or alley doors, and such aisles shall be termed "main aisles." Such main aisles shall have a clear width equal to the width of the stairways connecting therewith, and for each elevator connecting with such an aisle there shall be an additional width of six inches, and no such main aisle shall be less than five feet wide in the clear between the counters in any department store or between the fixed seats therein. One-third the width of any basement stairway shall be added to the width of the main aisle connecting with such stairway.

If there is a column in any such aisle, then the width of the aisle shall be increased by the width of such column.

If there is a counter or counters or settee or any case or other obstruction in an aisle, then that part of the aisle on each side of such counter, settee or case or other obstruction shall be considered as a separate aisle. No aisle other than a main aisle shall be less than three feet in width.

**463. Exit signs and lights.]** All exits in buildings used wholly or in part for the purposes of Class VII. shall be clearly indicated by illuminated red signs with the word "EXIT" thereon in letters

not less than six inches high. At the bottom of each stairway on the street level floor there shall be similar signs indicating the direction of the nearest exit to a street or alley.

Fire escape doors or windows shall be indicated by illuminated red signs with the words "FIRE ESCAPE" thereon in letters not less than six inches high.

**464. Doors at street level—revolving doors.]** The clear width of the exit openings shall be computed in the same manner as that provided in this article for main aisles, and no door openings shall be less than five feet wide, and all doors shall swing outward. Revolving doors shall not be considered as exits.

**465. Doors in dividing walls.]** Door openings may be built in dividing walls of such buildings, provided, however, that such door openings shall be provided with fireproof doors built as described in section 260 of this chapter, and that each door shall have an efficient closing device, automatic in operation in the event of a fire, in close proximity to such door and on each side of such opening.

Each such opening shall have exit signs and lights as provided for street doors and exits in section 463 of this chapter. There shall be aisles not less than five feet in width connecting with such doors from the main aisles, and in no case shall any such door be of less width than the aisle directly connecting therewith.

**Doors and windows — when required to be closed—fire-resisting glass.]** See section 632.

**466. Floors—strength of — allowance for live loads.]** Every structural part of every building used wholly or in part for the purposes of Class VII. shall safely support, in addition to the weight of floor construction, partitions and permanent mechanisms that may be set upon the same, a live load of not less than one hundred pounds per square foot of floor area, and the construction shall be calculated according to the safe unit stresses elsewhere defined in this chapter. Every part of any such building which is subjected to a live load of more than one hundred pounds per square foot of floor shall be of sufficient strength in the parts which support such load to safely support the load imposed, calculated according to the safe allowable unit stresses elsewhere defined in this chapter.

**467. Fire escapes in Class VII. buildings.]** Every such building more than two stories in height shall have two stairway fire escapes. Such stairway fire escapes shall each be not less than thirty-six inches wide between centers of hand rails. Such stairway fire escapes shall be at opposite ends of the building or as far apart from each other as practicable.

**468. Passageways—fireproof.]** Where stairway fire escapes do not extend to the ground level they shall have a counterbalanced stairway to the ground from a platform not more than twenty feet above the ground level.



Fire escapes in inclosed courts shall have open, unobstructed, fire-proof passageways leading directly to a street or an alley.

**469. Fire escapes — windows and railings on doors opening on.]** All windows and doors which are passed by a fire escape of any kind and all windows and doors opening on fire escape platforms or landings shall have fireproof frames glazed with fire-resisting glass.

Each fire escape platform shall have at least one window on each floor in any such building opening thereon.

Each such window shall be indicated by signs and lights as required in section 463 of this chapter for exits.

Where window sills at fire escape exits are more than two feet above the floor, one or more steps not less than three feet wide shall be provided, with risers not to exceed twelve inches high and treads not less than eight inches wide.

The railings on stairway fire escapes and the railings around fire escape platforms shall have iron guards in addition to the iron hand rails; such guards shall be not less than four feet high measuring from the outer corner of the tread or from the platform; such guards shall have a mesh or openings not over two and one-half inches square, and the metal strands in such guards shall have a cross section of not less than one-eighth of an inch in diameter.

**470. Fire drill of employees.]** It shall be the duty of every person or corporation maintaining or in possession, charge or control of any building used wholly or in part for the purposes of Class VII. to designate certain adult male employees in such building (the number of which employees shall be prescribed by the fire marshal), who shall be regularly and throughout the entire time such building is open to the public employed in such building, and who shall be physically and mentally able to perform the duties which shall be required of them in case of fire occurring in any such building. Such employees shall at least once in each month, when directed by the fire marshal or any authorized member of the fire department, take part in a fire drill conducted by the fire marshal, or any authorized member of the fire department, in the use of all apparatus for the prevention and extinguishing of fire in such building, whenever the fire marshal shall deem such drill necessary or advisable. Such person, or corporation, shall pay to the city the proportion of the regular salary of any employe of the fire department who shall be employed in drilling and examining the employees of any such building, based upon the time of such employment, and the fire marshal shall render bills monthly for such services.

**471. Standpipes—pumps—axes, etc.]** There shall be one or more standpipes on each floor of every such building, with hose connections and hose on reels or racks connected to same. Full water pressure in such standpipes shall be maintained during business hours. There shall be portable chemical or hand pumps and one or more fire depart-

ment axes on each floor, all of which, in number and location, shall be placed or installed to the satisfaction of the fire marshal.

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ARTICLE XI.

PROVISIONS RELATING SOLELY TO CLASS VIII.

**472. Buildings of Class VIII.—construction of.]** All buildings used wholly for the purposes of Class VIII. hereafter erected shall be constructed in accordance with the provisions of this chapter relating to Class VIII. as follows, viz:

Such buildings having a seating capacity of less than four hundred, or which are not over two stories and basement in height, may be built of ordinary construction.

Such buildings having a greater seating capacity than four hundred and less than eight hundred, or which are not over three stories and basement in height, shall be built of slow-burning or fireproof construction.

Such buildings having a greater seating capacity than eight hundred, and which are more than three stories and basement in height, shall be built entirely of fireproof construction.

New additions to existing buildings may be built; provided, however, that such new additions shall comply with the above requirements.

All alterations in existing buildings used wholly for the purposes of Class VIII., other than new additions thereto, intended to make them comply with the requirements of this chapter, may be executed in the same kinds of materials of construction at present employed in such buildings, unless otherwise distinctly provided herein.

**473. Frame buildings—portable.]** Portable frame buildings used wholly for the purposes of Class VIII., not larger than twenty-eight feet by thirty-six feet and not over one story high, may be erected, provided the exterior walls and roof of same are covered with metal or incombustible material, and the interior woodwork painted with fireproof paint, approved by the commissioner of buildings. And, provided further, that the location of such buildings shall be approved by the commissioner of buildings. Such portable buildings shall not be located nearer than ten feet to any other building, and shall not be maintained on any one lot or block for a longer period than two years after the date of the issuance of the permit therefor without a new permit from the commissioner of buildings.

**Doors and windows—when required to be closed—fire-resisting glass.]** See section 632.

**474. Walls—window openings in.]** No wall of any building used

wholly for the purposes of Class VIII. containing a window opening shall be nearer than five feet to any lot line of adjoining property (street and alley lines not included).

**475. Walls—thickness of.]** The following regulations shall govern the construction of buildings used wholly for the purposes of Class VIII.:

The thickness of surrounding walls and of all dividing walls carrying the load of floors or roof shall be as indicated in the following table, to wit:

Walls around stairs, elevators and shafts. See section 588.

	Basement.	Stories				
		1	2	3	4	5
	in.	in.	in.	in.	in.	in.
One story .....	16	12				
Two stories .....	16	16	12			
Three stories .....	16	16	16	12		
Four stories .....	20	20	16	16	12	
Five stories .....	24	20	20	16	16	16

Buildings built of fireproof construction shall be excepted from the foregoing provisions of this section, but shall comply with the other provisions of this chapter governing such buildings.

**476. Loads—live.]** The floors of buildings used wholly for the purposes of Class VIII. shall be designed and constructed so as to be capable of bearing in all their parts, in addition to the weight of floor construction, partitions, permanent fixtures and mechanisms that may be set upon same, a live load of seventy-five pounds per square foot.

**477. Stories—height of.]** No story above the basement shall be less than twelve feet in height in the clear.

**478. Floor levels in buildings of fireproof construction.]** The following limitations of floor levels of auditoriums or assembly halls of such buildings shall be observed in all cases:

In buildings of fireproof construction.

Not to exceed two thousand seating capacity, not over ten feet above sidewalk level.

Not to exceed one thousand seating capacity, not over thirty feet above sidewalk level.

Not to exceed eight hundred seating capacity, not over fifty feet above sidewalk level.

Not to exceed five hundred seating capacity, in any story; Provided, however, that there shall be at least two separate and distinct stairways from the floor in which such auditorium or assembly hall is located to the ground, each of which shall be not less than four feet wide in the clear.

**479. Floor levels—in buildings having stairs and corridors of fire-proof construction.]**

Not to exceed one thousand five hundred seating capacity, not over ten feet above sidewalk level.

Not to exceed one thousand seating capacity, not over twenty-five feet above sidewalk level.

Not to exceed eight hundred seating capacity, not over forty-two feet above sidewalk level.

Not to exceed five hundred seating capacity, not over fifty feet above sidewalk level.

Not to exceed two hundred and fifty seating capacity, not over sixty feet above sidewalk level.

**480. Floor levels in buildings of mill, slow-burning or ordinary construction.]**

Not to exceed one thousand seating capacity, not over ten feet above sidewalk level.

Not to exceed six hundred and fifty seating capacity, not over thirty feet above sidewalk level.

Not to exceed five hundred seating capacity, not over forty-five feet above sidewalk level.

Not to exceed two hundred seating capacity, not over sixty feet above sidewalk level.

**481. Floors—height of, measured from sidewalk level.]** Heights shall be measured from sidewalk level at entrance of buildings to highest part of main floor of auditorium or assembly hall.

**482. Stairways—width of.]** Stairways in buildings used wholly for the purposes of Class VIII. shall be in width equivalent to fifteen inches for every hundred of seating capacity in such building as measured by the aggregate seating capacity of the auditorium, assembly rooms and school rooms; Provided, however, that the number of persons allowed in such buildings at any one time shall be limited by the width of stairways available as exits therefrom.

No stairway shall be less than four feet in the clear, except where more than two stairways lead down from any floor, in which case stairways three feet wide in the clear may be counted in the total width of stairways required.

Where two or more stairways are used, they shall be placed at opposite ends of the building or as far apart as practicable, and all such buildings hereafter erected shall have at least two separate and distinct stairways from the ground floor to the top floor, and all existing buildings shall have two such separate and distinct stairways, or one stairway and one stair or sliding fire escape.

**483. Stairways—railings on each side—height of landing.]** All stairways shall have railings on each side thereof. No stairway shall ascend a greater height than thirteen feet six inches without a level

landing, which, if its width is in the direction of the run of the stairs, shall be not less than four feet wide, or which, if at a turn of the stairs, shall be of not less width than the stairs, and no winder shall be permitted in any stairs.

**484. Stairways—fireproof.]** In such buildings hereafter erected more than two stories and basement in height, the stairways and their inclosing walls shall be of fireproof construction.

**485. Corridors, passageways, hallways and doors, width of.]** The width of corridors, passageways, hallways and doors shall be computed in the same manner as that herein provided for stairways; Provided, however, that no corridor shall be anywhere less than five feet in width, and no door less than three feet in width, except where two or more doors, each two feet four inches or more in width, are grouped together.

**486. Doors to open outward.]** All doors in such buildings shall open outward, and all entrance and exit doors shall be unlocked at all times when the building is occupied for school purposes, or open to the public.

**487. Doors—exits covered with metal.]** All exit doors from assembly halls and class rooms to other parts of the building shall be covered with metal or other fireproof material, approved by the commissioner of buildings.

**488. Aisles—width of—number of seats in auditorium.]** Aisles in auditoriums and assembly halls in such buildings shall be in width equivalent to eighteen inches for every one hundred of seating capacity in such auditorium or assembly hall, but no such aisle shall be less than two feet six inches wide in its narrowest part. All groups of seats shall be so arranged that they shall have an aisle on each side, and not more than twelve seats in any one row shall be placed between aisles.

**489. Aisles in class and recitation rooms.]** Aisles in class rooms, recitation rooms and study rooms of such buildings shall be in width equivalent to eighteen inches for every one hundred permanent seats in any such room, but no main or cross aisle shall be less than two feet six inches wide in its narrowest part.

**490. Aisles and passageways—kept clear of obstructions.]** All aisles and passageways in such buildings shall be kept free from camp stools, chairs, sofas and other obstructions, and no person shall be allowed to stand in or occupy any of such aisles or passageways during any performance, service, exhibition, lecture, concert or any public assembly, nor shall there be any chairs, settees or camp stools in such aisles or corridors at such times or occasions.

**491. Emergency exits for auditoriums or assembly rooms—aggregate width of.]** All auditoriums or assembly halls of such buildings having a seating capacity of eight hundred or more shall be provided with emergency exits. The aggregate width of such emergency exits,

which shall be provided for each floor, balcony or gallery of such auditorium or assembly hall shall be one-half of the width of the main exit. No emergency exit or stairway shall be less than three feet in width.

**492. Exits—signs.]** All exits opening from auditoriums and assembly halls of such buildings shall have the word "EXIT," in letters at least six inches high, applied to the auditorium side of every such exit, and when such auditorium or assembly hall is used at night, a red light shall be kept burning over the word "EXIT" during the entire time such building is so used and until the pupils or audience have left the building.

**493. Lights in buildings.]** Every portion of any such building devoted to the uses or accommodation of the public and all outlets therefrom leading to the streets, including the open courts and corridors, stairways and exits, shall be well and properly lighted during the entire time such portion is in use, and shall remain lighted until all the pupils or the audience have left the premises. All gas or electric lights in the halls, corridors, lobbies, stairs and exits leading from the auditorium or assembly halls shall be controlled by a separate shut-off and shall be independent of all other lights in such building.

**494. Windows.]** The total glass area of outside windows and skylights of each class room, recitation room or study room in such buildings shall be not less than one-ninth of the floor area of such room.

**495. Basement.]** In every such building in which the lower or basement floor is below the surface of the ground surrounding such building, and is used in part or as a whole for heating or ventilating apparatus, such floor shall be considered the basement story of such building. Permanent class rooms in basements shall not be permitted.

**496. Fire escapes.]** Every building used for the purposes of Class VIII. of four or more stories in height shall be provided and equipped with one or more stairways or sliding fire escapes in such locations and numbers as shall be satisfactory to the commissioner of buildings.

**497. Fire escapes to be examined.]** It shall be the duty of the janitor of every such building or such other employe or employes thereof as may be directed by the principal of such school to examine all fire escapes of such buildings from the topmost story to the ground and to examine and operate all doors, windows and platforms leading to and from such fire escapes; and such inspection shall be made at least once each and every week that such building is used for school purposes and a written report made of such inspection to the principal of such school, showing the time it was made and the condition of the fire escapes.

Such fire escapes shall be kept in good condition ready for immedi-

ate use at any and all times that such building is in use, and shall be kept free of snow and ice.

**498. Fire drill.]** The principal or other person in charge of the pupils in every such building shall establish and maintain a good and efficient fire drill, which shall be practised at least twice every month during the time such building is used for school purposes.

A record shall be kept by the principal or other person in charge of the pupils of each fire drill held and of the time that elapses from the first fire signal until the last person is out of the building.

**Walls.]** Around stairs, elevators and shafts. See section 588.

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## ARTICLE XII.

### FIREPROOF CONSTRUCTION.

**499. Fireproof construction.]** In cases in which it is claimed that any equally good or more desirable mode or manner of construction, or material, or device for fireproofing, other than specified in this chapter, can be used in the erection or alteration of buildings, the commissioner of buildings, upon written application to him for a permit to use the same, shall have power to appoint a board of examiners, consisting of not less than three nor more than five members, each of whom shall have had at least ten years' experience in Chicago as an architect, engineer or builder, who shall take the usual oath of office. The said examiners shall adopt rules and specifications for examining and testing such mode or manner of construction, or material, or device for fireproofing, and furnish a copy of the same to the applicant. And such specifications shall provide for a comparative fire test of not less than four hours and for a period of at least two hours an average temperature of two thousand degrees Fahrenheit shall be maintained. At the end of this test water shall be applied to the construction through a one and one-eighth inch nozzle under sixty pounds pressure for five minutes. Hollow tile shall be used as a basis for comparison, and if the proposed material shall pass said test as well or better than hollow tile, it shall be approved as a fireproofing material. The said examiners shall thereupon notify such applicant to submit to such examination and make such tests in the presence of the said examiners, or a majority thereof, according to such rules and specifications. All expenses of such examiners, and of such examinations and tests, shall be paid by the applicant, and said examiners may require security therefor.

The said examiners shall, after such examination and tests, certify the results and their decision on the said application to the commissioner of buildings, who shall have power, in the event of the exam-

ination and tests being satisfactory, to grant a permit to the applicant in accordance with such decision of the said board of examiners.

A complete record of the proceedings and all acts and decisions of the said board of examiners shall be kept by the commissioner of buildings in his office.

The commissioner of buildings shall have the power to pass upon any question relative to the mode or manner of construction or materials to be used for fireproofing in the erection or alteration of any building or structure to make the same conform to the true intent and meaning of the several provisions of this chapter.

**500. Fireproof construction—definition of.]** The term fireproof construction shall apply to all buildings in which all parts that carry weights or resist strains, and also all exterior walls and all interior walls and all interior partitions and all stairways and all elevator inclosures are made entirely of incombustible material, and in which all metallic structural members are protected against the effects of fire by coverings of a material which shall be entirely incombustible, and a slow heat conductor, and hereinafter termed "fireproof material." Reinforced concrete as defined in this ordinance shall be considered fireproof construction.

**501. Fireproof material.]** The materials which shall be considered as filling the conditions of fireproof covering are: first, burnt brick; second, tiles of burnt clay; third, approved cement concrete; fourth, terra cotta; fifth, approved cinder concrete.

**502. Concrete—approved cement.]** All approved cement concrete shall consist of a standard Portland cement, torpedo sand, and crushed stone or gravel, or crushed blast furnace slag, or crushed burnt clay, the volumetric quantity of any one of these materials combined with the torpedo sand shall not exceed nine times the volume of the Portland cement. All of the ingredients of cement concrete shall be thoroughly worked and wet so as to cover each piece of stone or gravel or slag or burnt clay with moistened cement; and the cement and sand shall fill the voids between the coarse material of the cement concrete.

Cement concrete to be considered a fireproof material shall be cast and rammed in an unset condition against the metal.

**503. Machine or hand pressed concrete.]** Machine or hand pressed concrete bricks or blocks are not considered in this chapter as a fireproof material for the protection of metallic structural members.

**504. Brick, burnt clay, tiles, etc.—how applied.]** Brick, burnt clay, hollow tiles, porous clay, solid tiles and terra cotta shall be applied to the metal in a bed of mortar.

**505. Fireproof covering—minimum thickness of.]** The minimum thickness of fireproof covering on any metal shall be, if of hollow tile, constructed in such a manner that there shall be not less than one air space of at least three-fourths of an inch, by the width of the



metal surface to be covered, within the clay covering; if of porous clay tiles, the covering shall be at least one and one-half inches thick. The minimum thickness of concrete covering any metal shall be two inches.

**506. Incombustible materials.]** A metal or fire-resisting glass of not less than one-quarter inch in thickness, or plastering, or plaster blocks, or stone or granite, or marble, or an approved cinder concrete or one of the fireproof materials described herein shall be considered an incombustible material as called for by this chapter.

**507. Concrete—cinder—floor filling—specifications for.]** Whenever the use of a cinder concrete is permitted by this chapter, such cinder concrete shall be composed of the following named ingredients, in the proportion here described, to wit: five parts of clean, thoroughly burnt, steam boiler cinders, no particle of which shall be larger than one inch; three parts of clean grit sand, or of clean stone screenings, and one part of a standard Portland cement; the working and wetting of these ingredients shall be done in the same manner as required for cement concrete in section 502 of this chapter, and such a mixture of approved cinder concrete may be used only for floor filling.

**508. Fireproof covering—measurements.]** In every case the thickness of the covering specified in this chapter shall be measured from the extreme projection of the metal, unless otherwise provided herein.

**509. Skeleton construction.]** The term "skeleton construction" shall apply to all buildings wherein all external and internal loads and strains are transmitted from the top of the building to the foundations by a skeleton or framework of metal. In such metal framework the beams and girders shall be riveted to each other at their respective junction points. If columns made of rolled iron or steel are used, their different parts shall be riveted to each other, and the beams and girders resting upon them shall have riveted connections to unite them with the columns. If cast iron columns are used, each successive column shall be bolted to the one below it by at least four bolts not less than three-fourths of an inch in diameter, and the beams and girders shall be bolted to the columns. At each line of floor or roof beams, lateral connections between the ends of the beams and girders shall be made in such manner as to rigidly connect the beams and girders with each other in the direction of their length.

**510. Walls—inclosing.]** If buildings are made fireproof entirely, and have skeleton construction so designed that their inclosing walls do not carry the weight of floors or roof, then their walls shall be not less than twelve inches in thickness; provided, such walls shall be thoroughly anchored to the iron skeleton, and whenever the weight of such walls rests upon beams or columns, such beams or columns shall be made strong enough in each story to carry the weight of wall

resting upon them without reliance upon the walls below them. All walls shall be of fireproof or incombustible material.

**511. Columns—exterior.]** All iron or steel used as a vertical supporting member of the external construction of any building exceeding sixty feet in height shall be protected as against the effects of external changes of temperature, and of fire, by a covering of fireproof material consisting of at least four inches of brick, or of four inches of concrete, or of four inches of burnt clay tiles, or of four inches of hollow terra cotta or of a combination of any two of these materials, provided that their combined thickness is not less than four inches. The thickness of four inches shall be measured from the extreme projections of the metal of the column proper.

Where stone or other incombustible material is used for the exterior facing of a building the distance between the back of the facing and the extreme projections of the metal of the column proper shall be at least four inches, and this four inch space shall be filled with one of the fireproof materials.

In all cases, the brick or burnt clay, tile or terra cotta if used as a fireproof covering, shall be bedded in cement mortar close up to the iron or steel members, and all joints shall be made full and solid.

**512. Fireproofing of exterior sides of mullions.]** In buildings required by this chapter to be of fireproof construction, all vertical door or window mullions over eight inches wide shall be faced with incombustible material; horizontal transom bars over six inches wide shall be faced with a fireproof or with an incombustible material.

**513. Spandril beams, girders, lintel.]** The metal of the spandril beams or spandril girders, or lintels of exterior walls, which support a part of exterior walls, shall be covered in the same manner, and with the same material as specified for the exterior columns in this chapter. The covering thickness shall be measured from the extreme projection of the metal in every case.

**514. Fireproof covering independent.]** All covering of brick, concrete, burnt clay tiles, hollow terra cotta or of a combination of any two of these materials shall be applied to all of the structural members of the exterior of a fireproof building previously and independently of the application of the architectural facing of such fireproof building with an incombustible or fireproof material.

**515. Iron or steel plates for support of wall.]** If iron or steel plates or angles are used in each story for the support of the facings of the walls within such story, such plates or angles shall be of sufficient strength to carry the weight within the limits of fibre stress for iron and steel elsewhere specified in this chapter, the enveloping material for such story, and such plates or angles may extend to within two inches of the exterior of such covering.

**516. Walls, support and fireproofing of.]** Where skeleton construc-

tion is used for the whole or part of a building, the enveloping material and the walls shall be independently supported on the skeleton frame for each individual story.

**517. Terra cotta.]** If terra cotta or other hollow blocks are used, as fireproof covering, they shall be backed up with brick or hollow tile or concrete; whichever is used shall be, however, of such dimensions and laid up in such a manner that the backing will be built into the cavities of the facing so as to secure perfect bond between the facing and its backing.

**518. Coping.]** The upper surfaces of all breaks or offsets in external coverings and fillings and walls, as well as the tops of walls, shall be covered with stone, terra cotta, metal, concrete or fire clay copings set in cement mortar. Copings of all kinds which do not have lapped joints shall be pointed with mortar composed of one part of standard Portland cement and two parts of torpedo sand.

**519. Columns—interior.]** The covering of interior columns shall be one or more of the fireproof materials herein described.

If such covering shall be of brick or concrete it shall be not less than four inches thick; if of burnt clay tiles such covering shall be in two consecutive layers each not less than two and one-half inches thick, with one air space; if of porous clay solid tiles it shall consist of at least two layers not less than two inches thick each; or if constituted of a combination of any two of these materials, one-half of the total thickness required for each of the materials shall be applied, of each of such materials. Whether hollow tile, porous tile or terra cotta is used, the two consecutive layers shall be so applied that neither the vertical nor the horizontal joints in the same shall be opposite each other, and each course shall be so anchored and bonded within itself as to form an independent and stable structure.

In all cases, the brick or hollow tile, solid tiles or terra cotta shall be bedded in cement mortar close up to the iron or steel member, and all joints shall be made full and solid.

In the case of columns having an "H" shaped cross section or of columns having any other cross section with channels or chases open from base plates to cap plates on one or more sides of the columns, then the thickness of the fireproof covering may be reduced to three inches, measuring in the direction in which the flange or flanges project, and provided that the thin edge in the projecting flange or arms of the cross sections does not exceed three-quarters of an inch in thickness. The thickness of the fireproof covering on all surfaces measuring more than three-quarters of an inch wide and measuring in a direction perpendicular to such surfaces shall be not less than that specified for interior columns in the beginning of this section, and all spaces, including channels or chases between the fireproof covering and the metal of the column shall be filled with a solid fireproof

material. Lattice or other open columns shall be completely filled with approved cement concrete.

**520. Foundations—steel in—concrete around bottom of columns.]** If steel or iron in any form is used as part of a foundation, it shall be thoroughly imbedded in a concrete, the ingredients of which shall be such that, after proper ramming, the interior of the mass will be free from cavities. The steel or iron shall be entirely enveloped in approved cement concrete, and around the exposed external metal surfaces of such foundation there shall be a covering of approved cement concrete not less than four inches thick.

After the bases or base plates and columns have been set in place, both shall be protected from the effects of moisture by a covering of approved cement concrete applied direct to the metal in an unset state, measuring not less than two and one-half inches thick from the extreme projection of the metal, filled solid into all spaces, and forming a continuous concrete mass from the grillage or other foundations to an elevation six feet above the floor level nearest the column base plate or column stool.

**521. Columns—wiring clay tiles on.]** Burnt clay tile column covering shall be secured by winding wire around the columns after the tile has all been set around such columns. The wire shall be securely wound around the tile in such manner that every tile is crossed at least once by a wire. If iron wire is used it shall be galvanized, and no wire used shall be less than No. 12 gauge.

**522. Fireproofing—protective covering for.]** In places where there is trucking or wheeling or other handling of packages of any kind, the lower five feet of the fireproofing of such columns shall be encased in a protective covering either of iron or oak plank, which covering shall be kept continually in good repair.

**523. Pipes inclosed by covering.]** Pipes shall not be inclosed in the fireproofing of columns or in the fireproofing of other structural members of any fireproof building provided, however, gas or electric light conduits not exceeding one inch inside diameter may be inserted in the outer two inches of the fireproof of such structural member.

**524. Shafts, etc.]** In cases where a pipe, conduit, dumb waiter, cable, wire, conveyor, belt or any combination thereof passes from one story to another story through an open hatch or floor opening, a shaft or inclosure of fireproof material shall be built from floor to floor around such hatch or floor opening, in each story above and below such hatch or floor opening in the same manner as described for fireproof partitions in this chapter. The area of space thus inclosed shall not exceed the area of the hatch or floor opening by more than one hundred per centum.

In no case shall any wood be used in the construction or support or fittings of such shaft as described above. If such holes in floors as described above in this section are not inclosed by such fireproof

inclosures, then the open spaces in each floor opening not occupied by pipes, conduits, cables, wires, conveyors, belts or any combination thereof, shall be filled solid with fireproof material not less than eight inches thick.

**525. Shafts, partitions around plastering of shafts, doors and windows.]** All burnt clay or terra cotta partitions or walls around shafts having openings in floors shall be plastered on the outside and plastered or pointed on the inside.

All doors, frames, sashes, casings and windows in partitions or walls around floor openings, or around stair shafts or elevator shafts, shall be built of incombustible material. The supports of such doors, frames, sashes, casings and windows shall also be of incombustible material; in the case of doors, such supports shall be of rolled structural metal extending from floor to ceiling and secured to both. Where there are brick walls of twelve inches or more in thickness the supports need not extend to ceiling as above specified. All glass used in connection with such partitions or walls shall be fire resisting.

Sheet metal work pressed over asbestos paper and wood may be used for the doors, frames, sashes and casings, and for openings in such partitions, except for elevator doors in shafts and where the provisions of this chapter require all metal doors.

**526. Beams and girders, coverings of.]** The beams and girders of the interior structural parts of a building shall be covered by one of the fireproof materials so applied as to be supported entirely by the beam or girder protected, and shall be held in place by the support of the flanges of such beams or girders and by the cement mortar used in setting. If metal binding or metal anchors are used as fastenings of such fireproof covering, such metal binding or such metal anchor shall be protected by not less than one-half inch of fireproof covering.

If the covering is of brick it shall be not less than four inches thick; if of hollow tiles or if of solid porous tiles, or if of terra cotta, each of such tiles shall be not less than one and one-half inches thick, applied to the metal in a bed of cement mortar; hollow tiles shall be constructed in such a manner that there shall be one air space of at least three-fourths of an inch by the width of the metal surface to be covered within such clay coverings; the minimum thickness of concrete on the bottom and sides of metal shall be two inches.

The top of all girders and beams shall be protected with two inches of brick or one and one-fourth inches of burnt clay, or two inches of approved cement concrete, or three inches of approved cinder concrete. The brick or burnt clay shall be bedded solid on the metal in cement mortar.

In all cases of beams or girders, in roofs or floors, no matter what the material or form of the floor arch used, the protection of the bottom flanges of the beams and girders and so much of the web of the same as is not covered by the arches shall be made as hereinbefore

specified for the covering of beams and girders. In every case the thickness of the covering shall be measured from the extreme projection of the metal, and the entire space or spaces between the covering and the metal shall be filled solid with one of the fireproof materials excepting the air spaces in hollow tile.

**527. Girders and trusses.]** All girders or trusses when supporting loads from more than one story shall be fireproofed with two thicknesses of fireproof material or a combination of two fireproof materials as required for exterior columns in section 511 of this chapter, and each covering of fireproof material shall be bedded solid in cement mortar.

All other girders or trusses supporting only a ceiling or roof shall be covered with a fireproof covering as specified for beams and girders in section 526 of this chapter.

**528. Cut-out boxes, chases, etc.]** No electric service cut-out box, switch box, cabinet, chase or any other recess, shall encroach on the minimum thickness required for any fireproof covering on structural metal, except as provided in section 523 of this chapter. If the depth of any cut-out box, switch box, cabinet, or chase, or of any other recess is to be concealed or partially concealed, then the thickness of the fireproof covering shall be increased correspondingly.

**529. Floor construction of hollow tile flooring.]** Brick, hollow tile, porous terra cotta, or approved cement concrete, or approved cinder concrete, shall be used for the construction of floors and roofs of fireproof buildings. Flat arch hollow tile, or flat arch porous clay tile floor arches shall have a height of at least one and one-half inch for each foot of span.

Hollow tile flat arch floor construction having a thickness of only one and one-half inch for each foot of span shall be used only for the minimum floor loads, and the area of burnt clay in the flanges, and ribs, and webs of the hollow burnt clay tiles shall be proportioned to the safe value of resistance to compression of the materials used in the most stressed areas of the burnt clay.

**530. Segmental arches.]** Segmental arches shall have a rise of at least one inch for each foot of span of arch.

The least thickness of a hollow tile or porous terra cotta segmental arch shall be one-half of an inch per foot of span, but no such hollow tile or terra cotta arch shall be of a thickness less than five inches.

Both flat and segmental arches shall be so constructed that the joints of the same radiate from a common center and there shall be a cross rib for every four inches, or fractional part thereof, in height in each tile block. The skew back of the arches shall be carefully fitted to the beams supporting them, and in addition to the cross ribs there shall also be additional diagonal re-inforcing ribs in the skew back. Such arches, whether flat or curved shall have their beds well

filled with cement mortar, and the centers shall not be struck until the mortar has set.

Burnt clay skew backs shall be molded in such a manner as to support the burnt clay covering on the under sides of beams or girders.

**531. Floors, wood surfacing and nailing strips.]** Wood floor surfacing and wooden nailing strips for such wood floor surfacing may be used in fireproof buildings.

Where wood flooring is used in a fireproof building, the space immediately under such wood flooring, and between the wood nailing strips and under such wood nailing strips shall be filled with a cement or a cinder concrete tamped into place in an unset state or such other incombustible material as shall be approved by the commissioner of buildings.

**532. Partitions in fireproof buildings.]** The partitions around stairs, stair halls, shafts, elevators, or public lavatories shall be fireproof partitions, as described in section 533 of this chapter; all other partitions in fireproof buildings shall be incombustible partitions. Where blocks are used for building partitions or as inclosing walls, the joints shall be well filled with mortar.

The partitions shall be wedged tight between floors and ceilings with incombustible wedges.

**533. Partitions, fireproof—incombustible.]** Only fireproof material shall be used for fireproof partitions; if of brick, they shall be not less than four inches thick, and if of partition blocks, not less than three inches thick. If fireproof partitions are of reinforced concrete they shall be not less than two inches thick.

All fireproof partitions shall be supported directly by the steel construction, or by the fireproof floor arches, or stone concrete, or brick. No cinder concrete or wood flooring shall intervene between any such partition and its support.

All doors, windows, sashes, frames, casings and glass in fireproof partitions shall be built as required in section 525 of this chapter.

Only fireproof or incombustible material shall be used in the construction of incombustible partitions, excepting that frames, casings, doors, sash and the rough carpenter work required for the proper fastenings of such frames, casings, doors or sash, may be of wood, and that ordinary glass may be used in doors and partition windows.

**534. Stairs, landings.]** Stairs in fireproof buildings shall be built of approved cement concrete, reinforced concrete, stone or with metal supports, metal strings, metal treads, metal platforms, or a combination of one or more of such materials.

If reinforced concrete is used in the construction of any stairs in a fireproof building such stairs shall be designed according to the provisions of the sections applying to reinforced concrete.

Stairs shall carry a live load of not less than one hundred pounds

per square foot on treads and landings, and every part of a stair shall be so designed that the safe limit of fibre stress is not exceeded.

The handrails of such stairways may be of wood, all other material in such stairways in fireproof buildings shall be "fireproof," or "incombustible" material, except cinder concrete.

If stairs are constructed of solid concrete, having the tread and riser in one piece, then there shall be not less than forty-five square inches of concrete in the cross section of such combined tread and riser, and such stairs shall have reinforced concrete or metal outer strings.

If stone treads or platforms are used they shall have a metal sub-tread, or sub-platform of the same weight as if the metal alone were used.

If platforms have a floor arch sub-construction as described in section 529 of this chapter, then the metal sub-platform may be omitted.

**535. Painting.]** All structural metal which is used in a fireproof building or which is used in any foundation or which is used in reinforced concrete work, shall be clean and free of rust, or scale at the time of the inclosure or covering of such metal. All metal which is not to be fireproofed shall have two coats of first-class metal protecting paint.

**536. Rivets, machine driven.]** All structural steel and iron work shall be so riveted that the distance from the center of the rivet hole to the edge of the materials shall be not less than:

$\frac{5}{8}$ -inch for  $\frac{1}{2}$ -inch rivets.

$\frac{7}{8}$ -inch for  $\frac{5}{8}$ -inch rivets.

$1\frac{1}{8}$ -inch for  $\frac{3}{4}$ -inch rivets.

$1\frac{3}{8}$ -inch for  $\frac{7}{8}$ -inch rivets.

Wherever possible, however, the distance from the rivet hole to the edge of the material shall be equal to two diameters of such rivet hole. All rivets, wherever practicable, shall be machine driven; the rivets in connections shall be proportioned and placed to suit the stresses and the pitch of rivets shall never be less than three diameters of the rivets nor more than six inches. All holes shall be punched accurately, so that upon assembling a cold rivet will enter the hole without straining the material by drifting. The rivets shall fill the holes completely, and, whenever necessary, gussets shall be provided of thickness and size to accommodate the number of rivets necessary to make a connection.

**537. Truss designs to be submitted.]** When steel or iron trusses are used the trusses shall be of such design that the stress in each member may be calculated, and all trusses when placed shall be held rigidly in position by an efficient system of lateral and sway bracing, and any member of a truss subjected to transverse stress in addition to direct tension or compression shall have the stress causing such



strain added to the direct stresses coming on the member, and the total stresses shall in no case exceed the stresses provided for in section 594 of this chapter.

**538. Trusses to be inspected.]** On all buildings in process of construction, where the plans call for the use of trusses, or iron and steel structural work, the erection of such iron and steel structural work and of such trusses shall be inspected thoroughly by an inspector from the building department of the city, and such inspector shall be a man well versed in the design and construction of structural steel and iron work, and it shall be the duty of such inspector to see that the provisions of this chapter are strictly complied with, and such inspector shall have the authority to compel the contractors and builders to use a sufficient amount of temporary bracing or guys necessary to insure the safety of the work during its erection and to compel such contractors and builders to keep all derricks, tackles and hoisting appliances used in such work in a safe condition and to enforce all the provisions of this chapter.

**539. Bolts to be turned and holes to be reamed.]** Wherever it is found impossible to rivet connections as herein described and such connections are bolted, the bolts shall be turned and the holes reamed so as to get a perfect fit.

All structural members which are temporarily bolted together shall be well bolted in every alternate hole.

**540. Fireproof buildings, height of.]** The height of a fireproof building shall be measured from the average inside grade line of the street frontage of the building to the top of the highest point of the external bearing walls. Roof houses for elevators, or tanks, or skylights, or stairs, or scuttles may be built above the height of the main roof, and no building shall be erected in the city of greater height than two hundred and sixty feet.

**541. Roofs, rise of roof above limit of height.]** In the case of buildings which are entirely fireproof in their construction and of which the roof is also entirely of fireproof construction, the roof may rise above the limit of height of wall fixed by this chapter for such buildings at a slope not to exceed thirty degrees with the horizon, and to a height not exceeding twenty feet above such limitation of the height of such wall. The space inclosed by such roof above the limitation of the height of such wall may be used as an inclosure for pipes, ventilating or elevator machinery or for ventilating ducts, but it shall not be lawful to use such space for purposes of storage, business or residence.

**542. Sheet metal work, support of.]** Wood shall not be used as the support of any sheet metal work or of any gutter or cornice of a building more than one hundred feet in height.

**543. Reinforced concrete—regulations in regard to the use of.]**

The term "Reinforced concrete," as used in this chapter shall be understood to mean an approved concrete mixture reinforced by steel of any shape, so combined that the steel will take up the tensional stresses and assist in the resistance to shear.

**544. Stress.]** Reinforced concrete construction shall be of such nature that the stresses can be calculated according to the accepted formulas of modern concrete engineering practice.

**545. Permission to erect.]** Before permission to erect any reinforced concrete structure is issued, complete drawings and specifications shall be filed with the commissioner of buildings, showing all details of the construction, the size and position of all reinforcing rods, stirrups, etc., and giving the composition of the concrete.

**546. Concrete—mixing of—method of testing.]** The concrete shall be mixed in the proportions of one of cement, three of sand, and five of stone, gravel or slag. The proportions shall be such that the resistance of the concrete to crushing shall not be less than two thousand pounds per square inch after hardening for twenty-eight days. The tests to determine this value shall be made by a competent engineer under the direction of the commissioner of buildings. The concrete used in reinforced concrete construction shall be what is usually known as a wet mixture.

**547. Cements—method of testing.]** Only high grade Portland cements shall be used in reinforced concrete construction. Such cements, when tested neat, shall after one day in air, develop a tensile strength of at least two hundred pounds per square inch; and after one day in air and six days in water shall develop a tensile strength of at least five hundred pounds per square inch; and after one day in air and twenty-seven days in water shall develop a tensile strength of at least six hundred pounds per square inch. Other tests as to fineness, constancy of volume, etc., made in accordance with the standard method prescribed by the American Society of Civil Engineers' Committee, may, from time to time be prescribed by the commissioner of buildings.

**548. Sand—torpedo—stone—steel.]** The sand to be used in such concrete shall be clean, sharp torpedo sand, free from loam or dirt.

The stone used in such concrete shall be clean, crushed stone or gravel, or crushed blast furnace slag of a size that will pass through a three-quarter inch ring. The stone shall be fresh broken, and the gravel shall be thoroughly washed.

The steel used shall be calculated according to its elastic limit; for moving or vibrating loads a steel of a lower elastic limit than is used for quiescent loads shall be used.

**549. Reinforcing—method of.]** All reinforcing steel shall be completely inclosed by the concrete, and such steel shall nowhere be nearer to the surface of the concrete than the diameter of such rein-

forcing steel bar, or rod or other shape. The steel in beams or girders shall be so disposed that there shall be not less than one and one-half times the thickness of the steel in concrete between the steel, and, where more than two bars are used the bars shall be placed in two or more planes.

Reinforced concrete shall be so designed that the stresses in the concrete and the steel shall not exceed the following limits: extreme fibre stress on concrete in compression, five hundred pounds per square inch; shearing stress in concrete, seventy-five pounds per square inch; concrete in direct compression, three hundred and fifty pounds per square inch; tensile stress in steel, one third of the elastic limit; shearing stress in steel, ten thousand pounds per square inch.

The adhesion of concrete to steel shall be assumed to be seventy-five pounds per square inch of surface where bars are three-quarters of an inch or less in diameter and proportionately less for bars of a diameter greater than three-quarters of an inch.

The ratio of the moduli of elasticity of concrete and steel shall be taken as one to twelve.

The following assumption shall guide in the determination of the bending moments due to external forces: beams and girders shall be considered as simply supported at the ends, no allowance being made for continuous construction over supports. Floor plates, when constructed continuous and when provided with reinforcement at top of plate over the supports, may be treated as continuous beams, the bending moment for uniformly distributed loads being taken at not less than  $W. L.$  divided by eight; the bending moment may be taken at  $W. L.$  divided by twenty in the case of square floor plates which are reinforced in both directions and supported on all sides. The floor plate to the extent of not more than five times the width of any beam or girder may be taken as part of that beam or girder in computing its moment of resistance.

The moment of resistance of any reinforced concrete construction under transverse loads shall be determined by formulas based on the following assumptions:

(a) The bond between the concrete and steel is sufficient to make the two materials act together as a homogeneous solid.

(b) The strain in any fibre is directly proportionate to the distance of that fibre from the neutral axis.

(c) The modulus of elasticity of the concrete remains constant within the limits of the working stresses fixed in this chapter.

From these assumptions it follows that the stress in any fibre is directly proportionate to the distance of that fibre from the neutral axis.

The tensile strength of the concrete shall not be considered.

**550. Construction — reinforced concrete.]** Reinforced concrete construction shall be designed so that the shearing stresses, both vertical and horizontal, developed in any part of the construction, shall

not exceed the safe working strength of the concrete as fixed in this chapter or a sufficient amount of steel shall be introduced in such a position that the deficiency in the resistance to shear is overcome.

When the safe limit of adhesion between the concrete and steel is exceeded, some provision shall be made for transmitting the strength of the steel to the concrete.

**551. Columns—reinforced concrete.]** Reinforced concrete may be used for columns when the ratio of length to least side or diameter does not exceed twelve. The reinforcing rods shall be tied together at intervals of not more than the least side or diameter of the column, or spirally wound steel may be used.

When vertical reinforcing rods are used in columns, such rods shall have their ends milled normal to the longitudinal axis, and such rods shall have full, perfect bearings at each joint, and such joints shall occur only at floors or other points of lateral support, and a tight fitting sleeve shall be provided at all joints of vertical reinforcing rods.

**552. Wind pressure.]** In the case of buildings in which allowances must be made for wind pressure as provided in section 603 of this chapter, the reinforcing rods of columns shall be connected and the milled end surfaces shall be brought together by threading the rods and by threaded sleeve nuts, or threaded turnbuckles, or methods equally effective and satisfactory to the commissioner of buildings.

**553. Tests—to be made by contractor on demand.]** The contractor shall be prepared to make load tests on any portion of a reinforced concrete construction within a reasonable time after erection, as often as may be required by the commissioner of buildings. Such tests shall show that the construction will sustain a load of twice that for which it is designed, without any sign of failure, or in the case of beams, girders or floors, without deflecting more than one-seventh-hundredths of the span.

**554. Reinforced concrete walls.]** Buildings of Classes I., II., III., VI. and VII. having complete skeleton construction of steel or of reinforced concrete construction or a combination of both, designed to safely resist all of the strains caused by the dead weights of the structure and of the live loads and of the wind pressure within the safe limits of stress provided in this chapter for each material used, may have walls of reinforced concrete six inches thick for the upper two stories and walls seven inches thick for the two stories next below the upper two stories and walls eight inches thick for the stories next below the upper four stories and walls nine inches thick for the stories next below the upper six stories, and so on downwards increasing the thickness of the walls one inch for each two stories, or part thereof. Provided, however, that such walls shall support

only their own weight and that such walls have steel rods three-quarters of an inch in diameter or of an equivalent area set vertically and spaced not more than eighteen inches apart, and steel rods five-eighths of an inch in diameter or of an equivalent area set horizontally tied to the vertical rod at each intersection with these and set not to exceed twenty-four inches apart, and provided that where the weight of the walls of each story is not transferred to the skeleton by spandril beams the vertical reinforcement shall be increased in weight in an arithmetical ratio of twice as much steel in the two stories next below the upper two stories and three times as much steel in the two stories next below the upper four stories, and so on downward. Vertical bars shall be spliced together by winding with iron wire. Horizontal bars shall be wired to the columns. Additional bars shall be set around openings the verticals wired to the nearest horizontal bars and the horizontal bars at top and bottom of openings shall be wired to the nearest vertical bars.

The steel rods shall be combined with the concrete and placed where the combination will develop the greatest strength, and the rods shall be staggered or placed and secured to the steel or reinforced concrete structural skeleton of the building, so as to resist a pressure of fifty pounds per square foot, either from the exterior or from the interior on each and every square foot of each wall panel.

**555. Moulded hollow concrete and hollow tile block.]** Moulded hollow concrete blocks or moulded hollow vitrified clay building blocks of the full thickness of a ten-inch wall may be used wherever eight-inch walls are called for by this chapter, and such blocks may also be used wherever twelve-inch brick walls are called for in this chapter under frame cottages and in one and two-story Class III. and Class VI. buildings.

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#### ARTICLE XIII.

##### SLOW-BURNING CONSTRUCTION.

**556. Slow-burning construction defined.]** The term "slow-burning construction" shall apply to all buildings in which the structural members which carry the loads and strains which come upon the floors and roofs thereof are made wholly or in part of combustible material, but throughout which the structural metallic members shall be protected against injury from fire by coverings of incombustible, non-heat-conducting material similar to those described under the head of "skeleton construction," except that plastering and metallic lath may be used as provided herein. In the case of columns the metallic lath shall be fastened to metallic furrings and the plastering upon the same shall be of three coats of mortar. The

lower five feet of each column shall be protected as required for brick, concrete or tile covering in section 522 of this chapter. A covering of three coats of plastering on metallic laths shall be considered sufficient protection for the under side of joists and girders and a layer of mortar or other incombustible material at least one and one-half inches thick shall be applied on all floors and roof surfaces above the joists of the same.

**557. Posts, partitions and elevator inclosures.]** Where oak posts of greater sectional area than one hundred square inches are used, they need not be covered. All partitions and all elevator inclosures in buildings of this type shall be made entirely of incombustible material. The use of wood furring or of stud partitions shall not be allowed in buildings of this type.

**558. Stairs—to be incombustible.]** Where buildings are required by this chapter to be of "slow burning construction," all stairs in such buildings shall be of incombustible material.

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#### ARTICLE XIV.

##### MILL CONSTRUCTION.

**559. Mill construction defined.]** The term "mill construction," shall apply to all buildings in which all the girders and joists supporting floors and roof have a sectional area of not less than seventy-two square inches and above the joists of which there is laid a timber floor not less than three and three-fourths inches thick. Wooden posts used in buildings of this type shall not be of smaller sectional area than one hundred square inches.

**560. Fireproofing.]** Partitions and elevator inclosures in buildings of this type shall be made entirely of incombustible material. If iron columns, girders or beams are used in buildings of this type, they shall be protected as specified in this chapter; but the wooden posts, girders and joists need not be protected by fireproof covering. The use of wood furring, wood laths or stud partitions shall not be permitted in buildings of this type.

**561. Stairs—to be incombustible.]** Where buildings are required by this chapter to be of "mill construction" all stairs in such buildings shall be of incombustible material.

**562. Concrete construction—approved cinder.]** The term "approved cinder concrete construction" shall apply to all buildings in which all parts that carry weights or resist strains, all exterior walls, all interior walls, all interior partitions, all stairs and all elevator inclosures are made entirely of incombustible material, and in which all metallic structural members are protected against the effects of

fire by approved cinder concrete proportioned, mixed, applied and secured as herein described. Approved cinder concrete construction may be used for all buildings in which fireproof construction is mandatory by this chapter or where ordinary construction may be used.

Approved cinder concrete shall consist of a standard Portland cement, torpedo sand, and clean, thoroughly burnt, steam boiler cinders, free from deleterious matter, no particle of which shall be larger than one inch.

**563. Cinders—quantity.]** The volumetric quantity of the cinders combined with the torpedo sand shall not exceed the volume of the Portland cement by more than eight times. All of the ingredients of approved cinder concrete shall be thoroughly worked and wet so as to cover each piece of cinder with moistened cement; the cement and sand shall fill all of the voids between the cinders.

All approved cinder concrete shall be cast and rammed in an unset condition against the metal.

The minimum thickness of approved cinder concrete covering in structural metal shall be two inches. In every case the thickness of the coverings shall be measured from the extreme projection of the structural metal unless otherwise provided in this chapter.

**564. Columns—approved concrete—coverings.]** The approved cinder concrete covering of the columns shall be not less than three inches in thickness from the extreme projection of the metal, including the plastering, and in all cases the cinder concrete shall be rammed solid against the column metal, filling all channels and open spaces within the perimeter of the finished plaster column. Approved cinder concrete column covering shall have metal binders of No. 8 gauge wire imbedded in and around the columns for each sixteen inches in height of the column, provided, however, that in buildings of approved cinder concrete construction the columns may be covered with one thickness of metal furring, metal lathing, and not less than three coats of mortar.

In places where there is trucking or wheeling, or handling of packages of any kind, the lower five feet of every column shall be incased in a protective covering such as is described in section 522 of this chapter.

**565. Beams and girders—approved cinder concrete construction.]** The beams and girders of a building built of approved cinder concrete construction shall be inclosed in approved cinder concrete which shall be not less than two inches in thickness at any and all points of the structural metal work. The approved cinder concrete covering shall be reinforced with metal clips or wire binders, either or both of which shall not be more than sixteen inches on centers in the direction of the length of the structural member.

The top of all girders or beams shall be protected with not less than two inches of approved cinder concrete.

A floor or roof construction of approved cinder concrete may be used for any span between structural members that will carry the test loads required by this chapter for such floors and roofs.

**566. Segmental arches.]** Segmental arches shall be not less than three inches in thickness at the crown.

**567. Floors—flat slab construction.]** Flat slab floor construction shall be not less than four inches in thickness for spans of eight feet or less. Flat slab floor construction shall be not less than five inches in thickness for spans between eight and ten feet.

Approved cinder concrete shall not be used as a floor or roof construction unless such approved cinder concrete is reinforced by steel or iron, and such reinforcement shall not weigh less than three-quarters of a pound per square foot of superficial surface.

All reinforcing steel shall be completely inclosed by the concrete.

Wood nailing strips for floor surfacing may be used in buildings of approved cinder concrete construction, provided, however, that such nailing strips shall be imbedded as described in section 531 of this chapter.

**568. Partitions.]** The partitions in buildings of approved cinder concrete construction shall be as described in section 532 of this chapter for partitions in fireproof buildings, provided, however, that partitions may be built wholly of metal studding, metal lath and plaster, but no such partitions shall be of a less thickness than one and one half inch.

The partitions around stairs, or stair halls, or shafts, or elevators, or public lavatories, shall be wedged tight between the structure of the floors and ceilings, or if such partitions are of plaster, the metal or metal studding shall be secured to the structure by clips, bolts or other metal fastening, and in no case shall any such partition be built on the wood flooring or wood nailing strips.

**569. Walls—inclosing.]** The inclosing walls, the covering of exterior side of mullions, beams, girders, lintels, the inclosure of pipes, pipe shafts, the doors into shafts, windows into shafts, covering of girders, covering of trusses, cut-out boxes, chases, stairs, landings, painting, rivets, bolts, and all other items required in these sections on fireproof construction and in these sections on skeleton construction shall, in buildings of approved cinder concrete construction be designed or built or covered, or made of the material called for, or any one or a number of these requirements, as described in such sections describing the requirements of skeleton construction or of fireproof construction in this chapter, provided, however, that approved cinder concrete as described herein may be used for all protective covering of structural metal.



## ARTICLE XV.

## ORDINARY CONSTRUCTION.

**570. Ordinary construction defined.]** The term "ordinary construction," as used in this chapter, means the ordinary system of construction in which timber and iron structural parts are not protected with fire-resisting coverings.

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ARTICLE XVI.

## GENERAL CONSTRUCTION REQUIREMENTS.

**571. Construction or alteration of buildings.]** Every building or structure or part thereof, hereafter constructed, erected, altered, enlarged or changed anywhere within the city, shall be so constructed, erected, altered, enlarged or changed only in accordance with the provisions of this chapter.

**572. Materials.]** Materials used in the construction of buildings of all classes shall conform to the following specifications:

**573. Foundation proportions.]** Foundations shall be proportioned to the actual average loads they will have to carry in the completed and occupied building.

**574. Foundation construction.]** Foundations shall be constructed of either of the following: approved cement concrete, dimension or rubble stone, sewer or paving bricks or iron or steel or piles. If iron or steel is used, the filling and the coating of the same shall be of Portland cement as provided in section 583 of this chapter, piles shall be covered with grillage of timber, concrete or steel, or a combination of these. Where timber grillage or timber piles are used, the top of such grillage or such piles shall be at least one foot below city datum.

**575. Foundation of new and old walls.]** In all cases where there is an increase in the thickness of walls, a new foundation shall be built in such manner as to carry jointly both the new and old walls, and the soil under such foundations shall not be loaded beyond the limits hereinbefore specified in this chapter. All foundations shall be protected against the effects of frost, and frozen cement mortar shall not be used in connection with building operations.

**576. Foundations—pile borings required—safe load required—fiber stress.]** Where pile foundations are used, auger borings of the soil shall first be made to determine the position of the underlying stratum of hard clay or rock, and the piles shall be made long enough to

sustain the required load according to approved formulas for pile driving, and timber piles shall not be loaded more than twenty-five tons to each pile. The heads of the piles are to be protected against splitting while they are being driven, and after having been driven, the piles are to be sawed off to a uniform level and covered with a grillage so proportioned that in the transmission of the load from the structure to the pile the extreme fiber stress of the grillage shall not exceed the safe limits for the respective materials as prescribed in this chapter. The safe compression load per square inch on concrete in concrete piles shall not exceed four hundred pounds. The area of the cross section shall be measured at a point six feet below the head of the pile after the same has been set in place, and the cross section of the pile above this point shall not be reduced.

**577. Foundations other than pile.]** If foundations of other materials than piles are used, they shall be so proportioned that the loads upon the soil shall not exceed the limits for different kinds of soil than those hereinafter given, to wit:

**578. Load for various soils.]** If the soil is a layer of pure clay at least fifteen feet thick, without admixture of any foreign substance excepting gravel, it shall not be loaded more than at the rate of three thousand five hundred pounds per square foot. If the soil is a layer of pure clay at least fifteen feet thick and is dry and thoroughly compressed, it may be loaded not to exceed the rate of four thousand five hundred pounds per square foot.

If the soil is a layer of dry sand fifteen feet or more in thickness, and without admixture of clay, loam or other foreign substance, it shall not be loaded more than at the rate of four thousand pounds per square foot.

If the soil is a mixture of clay and sand, it shall not be loaded more than at the rate of three thousand pounds per square foot.

**579. Foundations in wet soil—trenches to be drained.]** In all cases where foundations are built in wet soil, it shall be unlawful to build the same unless the trenches in which the work is being executed are kept free from water by bailing, pumping or otherwise, until after the completion of work upon the foundations, and in each case a connection with the street sewer shall be established before beginning the work of laying foundations.

**580. Foundations—where not permitted.]** Foundations shall not be laid on filled or made ground or on loam, or on any soil containing admixture of organic matter.

**581. Foundations—depth below surface—least limit—depth regulated by sewer—exceptions.]** Foundations shall in all cases extend at least four feet below the surface of the ground upon which they are built, and in the case of all buildings forty feet or more in height, foundations shall extend at least to the depth drained by the street

sewer in the neighboring streets or alleys; but if such sewers are at a greater depth than ten feet below the sidewalk grade, such foundations need not extend to a greater depth than ten feet, provided that sound, hard soil is found at that depth.

**582. Concrete — broken stone — sand — cement — mortar — foundations of.]** Broken stone or concrete in making foundations shall be clean and free from dirt and dust. Sand shall be free from admixture of loam, and shall be otherwise clean and sharp.

Cement shall have been kept dry and shall be used fresh from the package; cement which has been permitted to become wet, hard or lumpy before it is mixed into the mortar or concrete, shall not be used.

The use of concrete or mortar of any kind, the ingredients of which are not thoroughly and completely mixed and which are not free from lumps, or other unmixed portions of any of the ingredients, is prohibited; and also the use of cement mortar which has become partly or wholly set before use. Concrete foundations wherever used shall have boxes of plank all around them, and the concrete shall be well rammed in individual layers not more than six inches each in thickness. The ramming shall be continued until the water stands on the top of the mass of concrete.

**583. Steel rails or beams in concrete.]** If steel or iron rails or beams are used as parts of foundations, they shall be thoroughly imbedded in a concrete, the ingredients of which shall be such that after proper ramming, the interior of the mass will be free from cavities, the beams or rails shall be entirely enveloped in concrete, and around the exposed external surfaces of such concrete foundations there shall be a coating of a standard cement concrete not less than four inches thick.

**584. Concrete foundations—steps—safe load where reinforced by beams.]** If concrete foundations are used by themselves and without the insertion of iron or steel beams or rails, the offset on top of same shall not be more than two-thirds the height of the respective courses, and such concrete foundations shall not be loaded more than twenty-five thousand pounds per square foot. If reinforced by iron or steel beams or rails, the loads and offsets in the same shall be so adjusted that the fiber stress upon the metal, if iron, shall not exceed twelve thousand pounds per square inch, or, if steel, that the fibre stress shall not exceed sixteen thousand pounds per square inch.

**585. Dimension stones—safe load.]** Dimension stones shall have uniform beds and the offsets in the same, where two or more layers are used, shall not be more than three-quarters of the height of the individual stones. They shall be set with full beds of cement mortar under their entire area and in such manner that they will not rock after being set. Dimension stones in foundations shall not be sub-

jected to a load of more than twenty thousand pounds per square foot in tiers.

If the beds of the stones are dressed and leveled off to uniform surface and the stones are set in a standard cement mortar, this strain may be increased to twenty-five thousand pounds per square foot.

**586. Rubble stone.]** Rubble foundations and rubble walls shall be built of approximately square and flat bedded stones, well and thoroughly bonded in both directions of the walls, each stone thoroughly bedded in mortar under its entire area. Wherever walls of any kind are used as curb walls, their exterior surfaces shall be rendered approximately water tight by a coating of a standard cement mortar.

**587. Brick—soft—use of—bond—safe load.]** The use of soft bricks is prohibited in all parts of buildings exposed to the weather and in internal or external piers, or bearing walls. The bond of brick work shall be formed by laying one course of headers for every five courses of stretchers. Brick work in walls laid in a standard Portland cement mortar shall not be loaded more than twenty-five thousand pounds per square foot. Brick work laid in an ordinary cement mortar shall not be loaded more than eighteen thousand pounds per square foot. Brick work in walls laid in lime mortar shall not be loaded more than thirteen thousand pounds per square foot.

**588. Walls — ledges — joist supports — walls around stairs, elevators and shafts.]** Whenever walls sixteen inches or less in thickness shall be used for the support of ordinary joists in buildings of all classes, ledges of the thickness of the furring, lath and plaster shall be formed between such joists and shall be carried up and leveled off on the line of the tops of the joists, or standard cast iron joist boxes shall be used for the support of such joists.

Where a stairway, or an elevator shaft, or an air shaft is surrounded by brick walls, such surrounding brick walls may be built sixteen inches thick, excepting that the upper fifty feet of the height may be built twelve inches thick, but the length or breadth, or either, of such a stairway or elevator shaft or airshaft shall not exceed twenty-five feet and in no case shall the load on the brick of such wall or walls exceed the safe limits of load specified for brickwork in this chapter.

**589. Pressed brick facing—bond joints.]** If pressed brick facings are used, they shall be bonded into their backing every seventh course. Bond shall be established by solid headers or by blind headers. In the case of piers faced with pressed brick, only solid headers shall be used, but bond stones or iron bond plates may be substituted for

such headers. Pressed brick in all cases shall be so laid as to have a full bed of mortar under its entire surface. The laying of pressed brick merely with a joint all around the outer edge of the bricks shall be unlawful.

**590. Brick piers—offsets—bond stone—cap stone.]** In building brick piers, there shall be provided at every offset in each pier, or at every point where such brick pier receives the load, a bond stone at least eight inches thick or a plate of rolled iron or steel not less than one-fourth of an inch in thickness, which stones or plates if at the top of such pier shall cover its entire surface, and shall in all cases be adapted to receiving the load to be imposed and shall be made of a strength which will keep the fiber strain upon the material used within the limits elsewhere herein stated.

**591. Stone facing without bond courses.]** Stone may be used as facing for brick walls under the following conditions: if the facing is ashlar without bond courses, and the individual course thereof measures in height between bond stones more than six times the thickness of the ashlar, then each piece of ashlar facing shall be united to the brickwork with wrought iron anchors at least two to each piece and reaching at least eight inches over the brick wall, and hooked into the stone facing as well as the brick backing. Wherever ashlar as before described is used, it shall not be counted as forming part of the bearing surface of the wall, and the brick backing shall be of the thickness of wall herein specified for the different kinds of building.

**592. Stone facing with bond courses.]** If stone facing is used with bond courses at a distance apart of not more than four times the thickness of the ashlar, and where the width of bearing of the bond courses upon the backing of such ashlar is at least twice the thickness of the ashlar, and in no case less than eight inches, then such ashlar facing shall be counted as forming part of the wall, and the total thickness of wall and facing shall not be required to be more than herein specified for walls of the different classes of buildings.

**593. Stresses—cast iron—fiber—strains—length.]** The stresses in materials used in construction produced by the calculated strains due to their own weight and applied loads shall in no case exceed the following:

#### CAST IRON.

Extreme fiber strain tension ..... 2,500 lbs.  
For columns ..... 10,000 lbs.

Reduced by Gordon's formula. Reduced for eccentric load.

No cast iron column shall have a length to exceed twenty-four times its diameter, or least side.

**594.****STRESSES IN POUNDS PER SQUARE INCH.**

	Wrought Iron.	Steel.
Extreme fiber stresses, "I" beams and shapes.....	12,000	16,000
Extreme fiber stresses, built beams .....	10,000	15,000
Tension .....	12,000	15,000
Shearing .....	7,500	10,000
Direct bearing pins and rivets .....	15,000	20,000
Bending on pins .....	18,000	22,500
*For columns and compression members .....	12,000	15,000

\*Reduced for ratio of length of columns to its least radius of gyration by approved modern formulas, and reduced for eccentric loading.

**595.****TIMBER—STRESSES IN POUNDS PER SQUARE INCH.**

	On Extreme Fiber	Shearing Along Grain	Compression Per- pendicular to Grain
White pine and spruce .....	750	80	150
White oak . . . . .	1,000	150	250
Long-leaved yellow pine .....	1,250	100	250

**596. Posts with flat ends—stresses per square inch.]**

L. Length of posts in inches.

D. Least side or diameter of post in inches.

S. Stress per square inch.

White Pine and Spruce.		L. L. Yellow Pine.		White Oak.
L. D.	S.	L. D.	S.	S.
0-10	625	0-15	1,000	750
10-35	475	15-30	875	650
35-45	375	30-40	750	560
45-50	300	40-45	625	460
		45-50	500	375

**597. Walls—eight inch brick wall—height limited.]** In no case, in any class of building, shall any eight-inch brick wall be more than fourteen feet in height.

**598. Cement concrete walls—solid.]** Approved cement concrete of the same thickness as is required where common brick or rubble stone is used, may be substituted for either of these materials whenever either is called for in this chapter.

**599. Walls—thickness of.]** The thickness of walls set forth in the tables for the various classes of buildings shall, for each class of buildings, apply to all external inclosing walls, and also to such

internal walls as may be required under the specifications of the different classes of buildings.

**600. Bay windows and light shafts—material for.]** Bay or oriel windows and light shafts may be built of combustible material, as specified in section 287 of this chapter.

**601. Buildings—height of.]** The limits of heights of buildings hereinbefore given for non-fireproof buildings, shall be from the average established sidewalk level to the highest point of roof thereof.

No building shall be erected in the city of greater height than two hundred and sixty feet from the sidewalk level to the highest point of external bearing walls. The erection of parapet walls or of balustrades constructed entirely of incombustible material is permitted above the roof level of buildings of all classes, and in addition to the heights herein fixed for the same. (See sections 540 and 541.)

**602. Floor areas—computation of—for all classes of buildings—stairs in common.]** The floor areas of all buildings shall be computed from the dimensions taken on the inner side of the exterior or surrounding walls on the floor of the third story, and the areas of courts, of elevator shafts, of inclosed stairs, if inclosed with incombustible materials, and of chimneys, shall not be considered as a part of such floor areas.

Where two areas of the same building adjoin, and are separated by fireproof dividing walls, they may have a stairway in common. Provided, however, in fireproof buildings such stairways shall be of incombustible material, inclosed in fireproof partitions, and access to such stairway shall be direct from each such area. Provided, however, in buildings of mill, slow-burning or ordinary construction such stairways shall be of incombustible materials inclosed by brick walls, and that doors to such stairways shall be automatic self-closing standard iron doors, as described in section 260 of this chapter, and all materials inside of such brick walls shall be fireproof or incombustible material.

**603. Wind pressure — precautions against.]** In the case of all buildings, the height of which is more than one and one-half times their least horizontal dimension, allowances shall be made in both vertical and horizontal construction for wind pressure, which shall not be figured at less than thirty pounds for each square foot of external wall surface.

**604. Basement—meaning of—cellar—meaning of.]** Wherever in this chapter the words "basement story" are used, it is intended to mean that the floor of such story is at a distance of two feet or more below the level of the sidewalk, and that its height does not exceed eleven feet in the clear. If the floor of such story is nearer than two feet to the sidewalk grade, or if the ceiling of such basement is more than nine feet above the sidewalk grade, it shall be counted as the first

story of the building in which it occurs; except in buildings of Class VI. and Class VIII. as defined in sections 246 and 248 of this chapter.

"Cellar" is a story, the height of which is more than two-thirds below the level of the grade at the building.

**605. Sub-basements and cellars—construction of.]** No building may have more than one basement or cellar of ordinary or slow-burning, or mill construction; all additional basements or cellars shall be of fireproof construction as described in this chapter, all elevator inclosures shall be of brick from the lowest basement floor level to the first story floor, and all stairways shall be inclosed in fireproof partitions from the lowest basement floor level to the first story floor level with automatic closing standard iron doors, opening outwards.

In cases where a pipe, conduit, dumb-waiter, cable, wire, conveyor or belt, or any combination thereof passes from one basement to another through a floor the opening in the floor shall be inclosed as specified in sections 524 and 525 of this chapter.

The number and width of stairs from the lowest basement floor to the first story shall be the same as required for the four highest stories of a building of the same area.

**606. Inclosures upon roofs—parapets and balustrades upon roofs.]** It shall be permitted to erect on the roofs of all buildings more than sixty feet and less than one hundred feet high, skylights, inclosures for water tanks and inclosures for elevator machinery, the construction of all of which inclosures shall be entirely of incombustible material; Provided, however, that the roofs of same may be built of mill or slow burning construction.

**607. Fire walls—when dispensed with.]** Fire walls of brick not less than twelve inches thick shall be built extending above the roofs of buildings if such roofs are flat, and also above the roofs of all buildings where the same abut against another building or where the same stand upon any line of any lot, excepting street or alley lines. Provided, that where eight-inch walls are permitted in the top story of buildings or as provided in Classes III. and VI. for buildings not over three stories high, the fire walls shall be of the same thickness. Such fire walls, where they stand upon lot lines or where they are over the dividing walls in the interiors of buildings where such are called for by this chapter by reason of the great area of such buildings, shall extend at least three feet above the roofs of such buildings. Fire walls upon street and alley lines shall extend not less than eighteen inches above the roofs of such buildings. Fire walls may be dispensed with on street and alley lines if the tops of the roof boards and roof joists are protected against fire for a distance of at least five feet from such street or alley lines by a coating of deafening mortar on hollow tile or porous tile at least two inches thick. Fire



walls at street and alley lines may also be dispensed with in all cases where the entire framing and materials of the roof shall be made strictly fireproof.

Walls facing upon courts and light shafts shall be treated as in the same category with walls facing upon streets and alleys.

Fire walls shall be covered with a weatherproof coping of incombustible material.

**608. Window and door sills—columns and lintels supporting store fronts—incombustible.]** Window and door sills shall be made of incombustible material. Oak timber used for door sills and not less than eight inches thick by the full width of the wall in which such sills occur, shall for the purpose of this chapter, be counted incombustible, but no other form or use of wood construction shall be considered incombustible.

The columns and lintels supporting store fronts in buildings within the fire limits of more than one story in height shall be made of incombustible material.

**609. Roofs—shingle or gravel.]** The use of shingle roofs or of other forms of combustible roof covering upon buildings erected or altered within the fire limits is prohibited. Provided, however, that shingle roofs may be placed on buildings not exceeding two stories in height and two thousand square feet in area, but the shingles used on such roofs shall first have been dipped in fire-resisting paint, such fire-resisting paint to be approved by the commissioner of buildings.

Roofs whose slope is not more than three inches per foot horizontal, and the covering of which is made with a composition of felt and gravel, shall be considered incombustible under the provisions of this chapter and may be used upon buildings of all classes.

**610. Roofs—construction of—pitch of—strength of.]** In the case of all buildings less than sixty feet in height, roofs having a slope of more than that specified for composition roofs may be made of timber and board construction, and shall be covered with incombustible material, except as provided in section 609 of this chapter. The roofs upon buildings sixty or more feet and less than ninety feet high, and of greater slope than three inches to the foot and less slope than thirty degrees with the horizon, shall, if made of timber construction, have an incombustible covering upon the roof boards, which shall be made either of mortar or porous terra cotta or plaster boards, or other incombustible material, and which shall be at least two inches thick. If this covering is made upon the roof boards, wooden strips shall be inserted and securely fastened to the wooden substructure at regular intervals between the incombustible covering, and a weatherproof covering of incombustible material.

The roofs of all buildings of every kind and class shall be designed and constructed in such a manner that they will bear a load in addi-

tion to the weight of their structure and covering of at least twenty-five pounds for each square foot of horizontal surface.

**611. Roofs—pipes carrying water from.]** The water from all roofs shall be carried to the street sewers in metal conductor pipes, which shall be continually maintained in such condition that leaks therein will not cause the water to soak into the walls or any other part of the building.

**612. Cornices—gutters—eaves—parapets—bay windows.]** Where sheet metal cornices or external metal sheet gutters are used, their entire framework and covering shall be of metal, and the walls shall extend behind all such cornices or gutters along their entire height. All metal work in and about any cornice, gutter, eave or parapet, or in or about any bay, or oriel window, shall be supported by suitable brackets placed not more than four feet apart and firmly secured to the wall. Wood shall not be used as the support of any gutter or cornice for buildings of one hundred feet or more in height.

**613. Towers—domes and spires—construction of.]** Towers, domes and spires may be built on top of the roofs of buildings, but shall not occupy more than one-fourth of the street frontage of any building. Such towers, domes or spires, if any part thereof is built to a height of more than sixty feet and less than ninety feet, shall be of slow-burning construction, and if of greater height than ninety feet above the sidewalk shall be of fireproof construction; and in all cases where the area of such spire, dome or tower exceeds one hundred square feet, its supports shall be carried down to the ground, and shall be, if the construction supported is more than sixty feet and less than ninety feet high, of slow-burning construction, and if more than ninety feet high, of fireproof construction.

**614. Skylights—construction of—glass in.]** Any skylight on the roof of any building, other than a frame building, shall have the sides, sashes and frames constructed of metal; or of wood, metal clad on all exterior surfaces.

The glass in all such skylights, except in buildings of Classes III. and VI. not exceeding three stories in height shall have at least six inches over same, a strong wire netting (wire not lighter than No. 8 and mesh not coarser than one and one-half inch by one and one-half inch), unless the glass contains a wire netting within itself.

**615. Porches—verandas—porticos—balconies—construction of inside fire limits.]** If verandas, porches or porticos are inclosed the inclosing walls shall be made of incombustible material, the only exception being in case such porticos or verandas are to be made part of a storm house or of a storm door inclosure, which, however, shall in no case be more than twelve feet high, nor shall it occupy a greater frontage than two feet more than the width of the inner doors for which the storm doors are made.

**616. Sidewalks—occupation of by parts of buildings.]** The use of any part of the sidewalks for steps or for open areas is prohibited.

**617. Chimneys—walls of—height above roof.]** No chimney shall be built with less than four inches thick brick wall, and no chimney having a greater flue area than two hundred and sixty square inches shall have walls less than eight inches thick; Provided that in all cases where chimneys are built with walls less than eight inches thick the same shall have flue liners of fire clay or terra cotta in their entire length. Except that where flues are to be used for gas grates or gas ranges only, the flue lining may be omitted, but the inside of the flue shall be smoothly plastered. The use of unprotected metal flues inside of buildings will not be permitted.

Every chimney having an area of not more than two hundred and sixty square inches shall be carried up to at least five feet above the highest part of the roof of the building of which such chimney is a part, if such roof is a flat roof. If the roof is a pitched roof the chimney shall be carried up at least two feet above the highest point of same.

**618. Chimneys—interior—walls of.]** Chimneys having a greater flue area than six hundred square inches shall, if built of brick, have surrounding walls of at least sixteen inches of brickwork, and such walls shall be built hollow with at least four inches hollow space in such walls; at a height of fifty feet above smoke inlet the thickness of the surrounding brickwork may be reduced to twelve inches, but in all cases the surrounding walls of chimneys of this or any other size shall be so proportioned that the brick work in same will not be subject to a greater stress than elsewhere herein fixed as a maximum safe stress for brickwork. For chimneys having a greater flue area than one thousand six hundred square inches the thickness of walls shall be increased above the thickness above specified, four inches for each increase of one thousand square inches or fractional part thereof.

**619. Chimneys or flues—height above roof.]** All flues having a greater area than two hundred and fifty square inches and not more than six hundred square inches, shall be carried up at least twelve feet above the highest point of roof of building of which they form part; and all flues having a greater area than six hundred square inches and not more than nine hundred square inches shall be carried up at least twenty feet above highest point of roof. All chimneys having a greater area than nine hundred square inches shall be carried to a height of at least twelve feet above any roof within a radius of sixty feet; Provided that the top of the chimney shall be not less than twenty feet above the highest point of the roof of the building of which it forms a part.

**620. Chimneys or flues—linings of.]** All flues having a greater

area than four hundred square inches shall be lined on the inside with insulating material which lining shall start at least two feet below the smoke inlet, and for flues having an area of from four hundred to six hundred square inches shall extend twelve feet above smoke inlet, and for all flues of more than six hundred square inches and not more than one thousand six hundred square inches shall extend twenty feet above smoke inlet, and for all flues having a greater area than one thousand six hundred square inches, shall extend at least thirty feet above smoke inlet. If an internal smoke pipe of metal is used, so much of the brick work as is inside of the insulating cavity of the stack may be omitted. Metal smokestacks shall however, be lined with insulating material for at least thirty feet of their height.

If internal stacks in buildings be made of metal then they shall be entirely surrounded within the building with a fireproof material which shall thoroughly protect the building from fire, and there shall be an air space, not less than four inches in the smallest part between the fireproofing and the metal stack.

**621. Chimneys—interior—framing around.]** No joists or girders shall rest and be supported on the walls of any chimney, and the framing around chimneys of all kinds shall be so constructed that in no case will any joists or timbers be placed nearer than two inches from the outside face of walls of flues, and in no case shall the distance from the inside of any flue to any joists or timbers be less than seven inches.

The foregoing shall apply only to chimneys which are inclosed by, or form part of, the interior of any building.

**622. Chimneys—external—location of—built of iron or steel.]** Chimneys may be built outside of the walls of existing buildings (but not in such manner as to encroach upon any street or alley), and shall be built as follows:

If at least one side of such chimney abuts entirely upon the wall of an existing building and the chimney is throughout its entire length securely and firmly anchored to the walls of such existing building, the wall of such chimney may be built of hollow tiles, in which case, however, it shall have a cast iron base, lined with fire brick, and extending to a height of at least ten feet above the street or alley grade.

Such external chimney may also be built of rolled steel or iron not less than one-fourth inch in thickness, and lined with insulating material, laid in fire clay, for at least thirty feet above street or alley grade, or it may be built throughout its entire height of cast-iron, in which case the first ten feet above street or alley grade shall be lined with insulating material, provided, however, that in chimneys not exceeding five hundred square inches in flue area, the upper twenty-

five feet may be constructed of steel or iron not less than one-eighth inch thick.

**623. Chimneys—isolated.]** Isolated chimneys shall be so designed and constructed that the stress upon any part thereof, due from the weight of the stack itself and from wind pressure, shall never exceed the safe limits as provided in this chapter.

**624. Chimneys or smokestacks—foundation of.]** The foundations of chimneys or smokestacks, whether inside or outside of buildings, or whether connected with the same or isolated, shall be designed and built in conformity with the provisions relating to foundations of buildings hereinbefore given.

**625. Smoke flues passing through partitions—woodwork around.]** Where smoke flues of diameter of six inches or less pass horizontally through a wood or a plastered stud partition, they shall be surrounded by a ventilated thimble of incombustible material.

Where a smoke flue of a greater diameter than six inches passes through a wood or plastered stud partition it shall be surrounded either by a body of brick, hollow tile, porous terra cotta or other incombustible substance, measuring at least eight inches all around such smoke flue. Smoke flues of less diameter than twelve inches shall be kept at least twelve inches distant from any combustible partition, ceiling or floor, and such woodwork immediately over and for a distance of two feet on each side of such smoke flue shall be covered with sheet metal or with porous terra cotta, hollow tile or plaster.

Smoke flues of greater diameter than twelve inches and less area than six square feet, shall be kept at least twenty inches away from any woodwork, and such woodwork shall be protected as before specified for the smaller smoke flues to a distance of four feet on each side of such smoke flues.

Wherever smoke flues of larger area than six square feet are used they shall be kept at least three feet distant from any woodwork, and such woodwork for a distance of at least six feet on either side of such smoke flues shall be protected as before specified for smaller flues.

**626. Floors—protection of—around boilers, furnaces, etc.]** Wherever steam boilers or furnaces or ovens, coffee roasters or other structures in which fires are maintained, are set inside of a building or in a room with wooden floor or ceiling construction, the floor of the same shall be protected by a covering of brick or concrete not less than five inches thick, set in mortar upon a continuous sheet-metal bearing plate not less than three-sixteenths of an inch thick, all the joints of which are to be securely riveted and the edges of which are to be turned up five inches all around. This foundation of sheet metal and brick and concrete shall extend under the whole of the fire box and ash pit of such steam boiler or furnace or other structure, and to a distance of not less than ten feet in front and at least four feet on the other three sides of same.

**627. Ceiling—protection of—around boilers, furnaces, etc.]** The space between the tops of such steam boilers or furnaces and any wood ceiling construction shall in no case be less than three feet, unless such boiler be a low pressure boiler, in which case such space shall be not less than eighteen inches, and the under side of such wood ceiling construction shall in all cases be protected either by three coats of plastering on metallic lath or wire netting, or at least two inches of porous terra cotta plastered on the under side, or by a covering of hollow tile with two air spaces at least one-half inch each between the wood and the under surface thereof, which under surface shall also be covered with a heavy coat of plastering.

**628. Boilers—location of—permit for.]** In all cases boilers shall be so placed as to give ample room between any ceiling, wall or partition to connect or operate any valves or pipes or other connections used on such steam boilers, and in buildings of four thousand or more square feet in area, the size, number, and location shall be marked on the plans, before a permit is issued by the building department.

**629. Cupolas of foundries.]** Cupolas of foundries shall extend at least ten feet above the highest point of any roof within a radius of forty feet of such cupola and shall be covered on top with wire netting.

**630. Pipes for distribution of hot air—registers.]** Where pipes are used for the distribution of hot air from a hot-air furnace, such pipes shall be made of metal and shall be double. The space between the two metal pipes shall be at least one-half inch. Such pipes are to be made with air-tight joints and to be securely fastened to the partitions through which they pass.

The openings in floors for hot air registers shall be surrounded with borders of incombustible material not less than two inches wide, and firmly and securely set in place. The register boxes shall be double, the distance between the two thicknesses of tin being at least one inch.

**631. Pipes, ducts and registers—material for.]** Where the air conveyed through pipes is heated in an ordinary hot-air furnace, or in any other apparatus by direct contact of the air with a fire box, the material used for these double ducts, pipes and register boxes shall be bright tin, and the joints shall be double-seamed, but not soldered. Where the air is heated by contact with hot water or steam pipes, any other sheet metal may be used for the pipes, and the use of double pipes is not obligatory.

**632. Doors and windows—when required to be closed—fire-resisting glass.]** Wherever the distance between doors and windows in buildings of Classes I., II., IV., V., VII. and VIII., on opposite sides of alleys or courts shall be less than thirty feet, or wherever the distance between such doors and windows and any inside lot line of any lot

upon which any such building is erected is less than fifteen feet, or wherever the distance between such doors and windows and the alley line (where the alley is less than thirty feet wide) is less than fifteen feet, such windows and the glazed portion of such doors shall be made of fire-resisting glass, set in frames of incombustible material.

Where the windows in buildings of Class I. on lot line courts are less than two feet from the lot line the sashes shall be stationary.

**633. Class of building not to be changed without conforming to provisions of this chapter.]** If buildings, the uses of which bring them within any of the classes mentioned in this chapter, are to be applied to the uses of any other class for which a better system of construction is called for by this chapter, the construction and equipment of such buildings shall first be made to conform to the requirements of this chapter as specified for their intended use. And it shall be unlawful to apply any such building to a new or different use than that to which its structure and equipment adapts it under this chapter, unless the requirements of this chapter for such new or different use shall first have been complied with, and a permit for such alteration of use shall have been first obtained from the commissioner of buildings.

**634. Alteration of existing buildings.]** Nothing in this chapter contained shall be considered as requiring alterations in the construction or equipment of buildings in existence at the time of the passage of this chapter, unless such buildings shall not have sufficient or adequate means of egress therefrom or ingress thereto by reason of insufficient or inadequate stairways, or stairways improperly located, or insufficient or inadequate elevators or elevator equipment, doors, fire escapes, windows or other means of egress or ingress.

Where it shall appear to the commissioner of buildings that any such building has inadequate or insufficient means of egress therefrom or ingress thereto, as aforesaid, he shall notify the owner, agent, or person in possession, charge or control of such building of such fact and direct him forthwith to make such alterations and changes in the construction or equipment of such building as are necessary to be made in order to promote the safety of the occupants of such building, and of persons using the same and of the public.

If, however, it is desired to enlarge, or in any manner materially modify the construction of any existing building, or to make change in its use or occupation which will transfer it from one class as recognized by this chapter to another class, then before such enlargement or structural change or modification of building is made, or before such change in its use or occupation may be made, the entire building shall be reconstructed or modified in such manner as to bring the same when enlarged or altered, or when occupied for its new and different purposes, in accordance with the provisions of this chapter.

**635. Walls of altered buildings—increasing thickness of.]** If the walls of a building are not of sufficient thickness to comply with the requirements of this chapter for an enlarged or modified building, then the thickness of the existing walls shall be increased by building alongside of them a new wall, which shall not, however, be less in any part thereof than twelve inches thick, and which shall be increased in thickness by four inches for at least every forty feet in the height of such wall. Such new wall shall be laid in Portland cement mortar and shall be anchored to the old wall (bonding with brick or masonry will not be considered as complying with this chapter); and if an increase in the height of the building is contemplated, the wall from the top of the old wall shall be built jointly upon the new and old walls. If solid masonry buttresses are introduced in connection with such thickening and strengthening of existing walls, the intervening wall may be reduced to eight inches in thickness, provided such buttresses are sufficient in number and in area to make the resultant structure of equal strength with the solid wall already specified. Provided, however, that steel or iron columns or beams may be used instead of such new wall, such columns or beams to be bolted or bonded to the existing wall in a manner satisfactory to and approved by the commissioner of buildings.

**636. Walls — party.]** The provisions of the preceding section shall also apply to all cases where existing party walls are to be joined to for the erection of new buildings. But in the case of party walls, which at the time of their erection were built in accordance with the terms of the city ordinances then in force, such walls, if sound and in good condition, may be used without increase of thickness for any building not higher than and of the same class as the building for which the original wall was built.

**637. Walls—erection of—walls and skeleton framework securely braced.]** In the erection of buildings of masonry construction, no wall shall be carried up at any time more than two stories above another wall of the same building. The walls and skeleton framework of all buildings shall be kept securely braced and otherwise protected against the effects of the weather during all building operations.

**638. Tanks on roofs—permits—fees.]** It shall be unlawful for any person to construct, maintain or to allow or permit to remain, in or upon the roof of any building in the city, any water tank of a larger capacity than four hundred gallons, unless such tank shall rest upon a good and sufficient foundation of solid brick or stone masonry, or upon iron girders set on steel plates which rest upon a good and sufficient foundation of solid brick or stone masonry, or upon iron or steel construction; Provided, however, that no water tank of a capacity exceeding four hundred gallons shall be constructed in or upon any building without first obtaining therefor a



permit from the commissioner of buildings and paying therefor a fee of two dollars.

**639. Stairs and fire escapes—obstruction of.]** It shall be unlawful under any circumstances to close up or obstruct during the occupation for business purposes of any building, the stairways or fire escapes or the approaches leading thereto; and no change in the position or construction of any such stairway or fire escape shall be made, unless the permission so to do of the building department first shall have been obtained.

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## ARTICLE XVII.

### FRAME BUILDINGS.

**640. Permits for raising or altering buildings — requirements.]** Permits to alter or raise frame buildings shall be given, provided they do not involve an enlargement or raising of such buildings beyond the limits of dimensions herein prescribed for frame buildings, and if the stresses in the material thereof are kept within the safe limit of stresses herein prescribed in this chapter, and if, further, such frame building has not been damaged to any extent greater than fifty per cent of its original value by fire, wear and tear, and action of the elements or otherwise. Provided, however, where any frame building is raised for the purpose of erecting a basement story under the same the walls inclosing such basement shall be of masonry.

**641. Strength of timber constructions—outside of fire limits.]** The provisions of this chapter as to the strength and stability of timber constructions shall also apply to the construction of frame buildings outside of the fire limits.

**642. Frame buildings prohibited—exception.]** Hereafter no frame building shall be erected within the fire limits of the city, except where express provision is made in this chapter therefor.

Outside of the fire limits it shall be lawful to erect frame buildings not exceeding forty feet in height from the sidewalk to the highest point of roof. If such frame buildings have a basement story of masonry, their height above the sidewalk may be made not to exceed forty-five feet.

**643. Frame buildings inside fire limits—altered or enlarged.]** No existing frame buildings inside the fire limits shall be altered or enlarged beyond the limit of height and dimensions described in sections 642 and 646 of this chapter.

**644. Frame buildings inside the fire limits changed into flat buildings—fire walls.]** Whenever any frame building inside the fire

limits shall be remodeled, altered or changed for the purpose of using the same for flats or apartments, or whenever such frame building shall be occupied for flat or apartment purposes, each suite of apartments in such building shall be separated from every other suite of apartments in such building by a wall of incombustible material, of such dimensions and thickness as required by this chapter.

**645. Frame buildings—raising—requirements—changing gable or hip roofs to flat roofs.]** Permission may be granted by the commissioner of buildings for the raising of existing frame buildings, whether within or without the fire limits, to the limits of height hereinbefore fixed for new frame buildings, and no more. The commissioner of buildings is also authorized to issue permits for changing gable or hip roofs of existing frame buildings to flat roofs, and for the raising of walls incident to such change. But if such hip or gable roof is changed to a flat roof and the walls raised in connection with such change, the total cubic contents included by the walls so raised and the roofs so altered shall not exceed the cubic contents originally included in such gable or hip roof.

**646. Frame buildings—damaged—repairing—limitations.]** It shall not be lawful to repair or reconstruct or remove any frame building which has been injured more than fifty per cent of its original cost by wear and tear, by the effects of the elements or by fire.

**647. Lot lines—requirements as to—number—dimensions.]** Frame buildings shall not be built nearer than one foot to any line of the lot upon which they are built, street and alley lines excepted. It shall not be lawful to erect a frame building wider than forty feet nor deeper than seventy feet, unless such building be divided by a fire wall or fire walls, built of incombustible material and of a thickness to be approved by the commissioner of buildings so that no more than two thousand eight hundred square feet of superficial area shall be contained in any section or part of such building, uninclosed by such fire wall. If more than one frame building is built in the direction of the depth of any one lot, such buildings shall not be built with a less distance than ten feet between them.

**648. Chimneys in frame buildings — chimney flues through partitions.]** Chimneys in frame buildings shall be built of brick, or of hollow tile, with a double tile wall around the smoke duct; all joints, whether in tile or in brick chimneys, shall be well filled with mortar and neatly pointed on the outside. Brick chimneys shall have flue linings of fire clay on the inside where the inclosing walls are less than eight inches thick. The wood framing of frame buildings shall be trimmed around chimneys in such manner as not to come within two inches of the same.

Metal smoke pipes or tile flues of single thickness shall not extend through the floors or through the ceiling or roof of any building; and

where such smoke pipes or tile flues pass through partitions the wood-work of such partitions shall be protected either by a course of brick built all around such smoke pipes or tile flues, or by a thimble made of bright tin, the two rings thereof being at least three inches apart, with proper ventilating holes provided in the outer covering of the same on both sides of the partitions.

**649. Frame buildings carried to uniform height.]** Frame buildings, the different parts of which are of different heights, may be carried up to a uniform height, provided the greatest height thereof does not exceed the limits of height prescribed in this chapter for frame buildings.

**650. Basement or story placed beneath frame buildings.]** A frame building may be raised for the purpose of erecting a basement or story, or both, thereunder, but the principal floor of such frame building shall not be raised to a higher level than sixteen feet above the sidewalk grade of the sidewalk upon which such premises abut. The walls inclosing such basement or story shall be of masonry and not less than twelve inches thick, excepting that when a one-story frame building is raised and has a basement only, built thereunder, the masonry wall of such basement may be eight inches thick above grade and twelve inches thick below. The foundations of such walls shall be constructed as provided in this chapter. Provided, however, that no frame building shall be raised for the purpose of constructing a basement or story, or both, under the same to a greater height to the top of its roof than that elsewhere herein given as the maximum height above grade for frame buildings. The thicknesses of walls hereinabove required shall also apply to new frame buildings.

**651. Sheds—frame—requirements.]** Sheds not exceeding fourteen feet in height from the ground at the highest point thereof, and not exceeding three hundred feet in area, with an incombustible roof, may be constructed of wood within the fire limits. Such sheds shall not be located on the front part of any lot, nor shall they be used as a dwelling or as an addition to a dwelling house, or for any business purpose whatever, nor shall more than one shed be erected on any one building lot of twenty-five feet in width.

**652. Sheds—open shelter—height of walls and foundation.]** Open shelter sheds may be constructed within the fire limits, provided they have incombustible roofing and the highest point of the roof thereof is not over fifteen feet above the ground, and provided that the roofing be supported on sufficient posts or piers. Such sheds shall have no combustible inclosing walls or wooden floors. No fence shall be used for the back or sides of such shed.

If it is desired or intended to inclose an open shelter shed, the inclosing walls shall be made of brick, stone, hollow tile or other incombustible material, and such walls shall have foundations extend-

ing to solid ground and at least four feet below the surface of the ground.

**653. Sheds—coal sheds along railroad tracks.]** Open shelter sheds to be used for the storage or handling of coal may be erected within the fire limits upon, along or adjacent to steam railroad tracks or along navigable waters; Provided, such sheds shall have incombustible roofing and shall not exceed thirty-five feet in height from the ground to the highest point of the roofing. If it is desired or intended to inclose any such shed, inclosing walls thereof shall be covered with incombustible material. No such coal shed shall be built upon any lot or parcel of ground fronting upon any street within seventy-five feet of any building used exclusively for residence purposes, unless the consent of the owners of the majority of the frontage on both sides of such street between the two nearest intersecting cross streets shall first have been obtained by the person or corporation desiring to erect and maintain such coal shed.

**654. Lumber or junk yards—lumber or junk not to be piled near residences except by consent.]** No person, or corporation shall establish, maintain, conduct or operate any lumber yard or place at, upon or in which new or second-hand lumber is kept for sale or is stored for seasoning or drying, or where old iron or junk is kept or stored, on any premises fronting on any street in any block where two-thirds of the buildings on any street bounding any such block are used exclusively for residence purposes, unless the written consent of the owners of a majority of the frontage on both sides of all the streets bounding the block in which it is proposed to locate, establish, conduct or maintain such lumber yard or place, be first obtained by the person or corporation desiring to establish, maintain or operate such lumber yard or place, consenting to the issuance of a license for the establishment, keeping or maintenance of such lumber yard or place; and such written consents shall accompany the application for a license made by such person or corporation.

**655. Lumber not to be piled near planing mills, wood-working establishments or private residences.]** No person or corporation shall pile or store, or cause to be piled or stored, any lumber for the purpose of seasoning or drying the same or storing the same or keeping such lumber for sale at any point within fifty feet of any planing mill, wood-working manufactory or private residence unless the same has been erected since the establishment of such yard.

**656. Grand stands—frame—within the fire limits—frontage consents.]** Wooden grand stands or tiers of seats, commonly known and described as grand stands may be erected within the fire limits where no part of any such structure shall be within sixty feet of any other building or structure, provided that the person or corporation desiring a permit for the construction of such a grand stand shall first

obtain the consent in writing of the owners of a majority of the frontage on both sides of the street or streets on each side of the block or square in which it is desired to erect such grand stand.

**657. Ice houses.]** Houses to be used exclusively for the storage of ice may be constructed within the fire limits, of wood with incombustible roofing the walls to be inclosed with an envelope of incombustible material; eight-inch brick or tile or approved cement concrete walls with proper foundations of masonry shall be used for such envelopes, and such houses shall be used for no other purpose than the storage of ice.

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## ARTICLE XVIII.

### ELEVATORS AND HOISTWAYS.

**658. Elevators, passenger and freight—permit for construction—fee.]** Before proceeding with the construction of any passenger or freight elevator, except such as are hereinafter specially exempted from the provisions of this chapter, there shall be obtained from the commissioner of buildings by the owner or agent of the building in which such elevator is to be constructed or by the contractor who is about to construct such elevator, a permit for such construction, and it shall be unlawful for any such owner, agent or contractor to permit or allow the construction of any such elevator, or to proceed with, or in or about any of the work of construction of any such elevator until such permit shall first have been obtained. Such permit shall be issued by the commissioner of buildings after application shall have been made to him in writing therefor by any such owner, agent or contractor, specifying the number and kind of elevators which it is desired to construct and the location of the building or structure in which the same is or are to be placed. Such application shall be accompanied with such plans and specifications as may be necessary to advise and inform said commissioner of the plan of construction, type of elevator and location thereof. If such plans and specifications shall show that such elevator or elevators is or are to be constructed or erected in conformity with the provisions of this chapter, the commissioner shall approve the same and shall issue a permit to such applicant upon the payment by such applicant of a fee of two dollars for each elevator to be constructed and erected, and such fee shall be known as a construction fee, and shall not be held to cover the cost of any inspection which shall at any time thereafter be made of such elevator or elevators when constructed or any of the equipment thereof.

Any person, either as owner or agent of any building or structure

in which any elevator or elevators is or are to be constructed, or any contractor engaged in the erecting or constructing such elevator or elevators, who shall allow to be erected or constructed, or who shall attempt to erect or construct any elevator or elevators in any building or structure, without having previously obtained the permit herein required, and without having complied with the provisions of this section, shall be fined not less than fifty nor more than two hundred dollars for each offense.

**659. Testing of safety devices.]** Every passenger or freight elevator hereafter constructed (except such as are hereinafter excepted from the provisions of this chapter) in any building within the city, shall be provided with some efficient device to secure the safe operation of such passenger or freight elevator in its running up or down, and such device shall be subjected to such practical test as may be determined by the commissioner of buildings to ascertain the efficiency of such safety device to properly perform the service for which it is intended; and it shall be the duty of the commissioner of buildings to cause to be made such test of each and every device upon any such elevator hereafter constructed, and no such elevator hereafter constructed shall be permitted to run until the inspection herein provided for has been made and a certificate issued by the commissioner of buildings or such inspector that the same has been inspected, and the certificate shall be posted in a conspicuous place in such elevator. Every passenger or freight elevator now in operation within the city shall be provided with some efficient device to procure the safe operation of such passenger or freight elevator in its running up and down, and such device shall be subjected to the same test as is herein provided for elevators to be hereafter constructed, and a certificate of such inspection issued as provided for elevators to be hereafter constructed, and every such elevator now in operation within the city, or which may hereafter be constructed and operated in the city, shall be inspected under and by authority of the commissioner of buildings at least once every six months. Every owner or agent of any building who fails to comply with any provision of this section shall be fined not less than fifty dollars nor more than two hundred dollars for each offense, and every owner or agent of any building wherein any passenger or freight elevators are situated in the city who refuses to permit the inspection of any such elevator or who refuses to permit the making of the test in this section provided, shall be fined not less than twenty-five dollars nor more than two hundred dollars for each and every day on which such elevator runs or is operated on and after the date of the refusal to permit inspection of such elevator or the refusal to allow such test to be made.

**660. Safety devices—further.]** Every passenger or freight elevator now running or operating within the city, or which may here-

after be constructed and run and operated, shall be provided with some efficient device for the purpose of preventing the cab or car of such elevator from falling, or the securing of the safety of the cab or car and its load, in case it does fall and all such devices that are applied to such passenger or freight elevator for the purpose of preventing such cab or car from falling or for stopping it in case it does fall shall be subjected to a practical test, such test to be made under the supervision of the commissioner of buildings, to determine the efficiency of such device and to secure the safety of the cab or car and its contents. Every person whether owner or agent of any building wherein any such passenger or freight elevator within the city is now run or operated, or which may hereafter be constructed or operated who shall fail or neglect to provide such passenger or freight elevator with such device for the purpose of preventing the cab or car from falling, or the securing of the safety of the cab or car in case it does fall, shall be fined not less than twenty-five dollars nor more than two hundred dollars for each and every day on which such elevator is run or operated without being provided with such device.

**661. Tests—owner must permit.]** Any owner or agent of any building wherein any passenger or freight elevator is run or operated within the city who desires to have a test made by and under the authority of the commissioner of buildings as to whether such elevator is provided with sufficient and proper safety devices shall or may notify said commissioner of buildings in writing that such a test is desired and the time when such test may be made which shall not be less than two nor more than ten days after such notice is given to the commissioner of buildings; and it shall be the duty of every owner or agent of any such building wherein any such passenger or freight elevator is run or operated in the city, or which may hereafter be constructed and operated, to permit the making of the test of such devices upon demand being made by the commissioner of buildings or by a duly authorized inspector, and every owner or agent of any such building wherein any such passenger or freight elevator is run or operated, or which may be hereafter constructed and operated, who refuses to permit the test of such devices to be made upon demand of said commissioner of buildings or elevator inspector, within five days from and after such demand is made, shall be fined not less than twenty-five dollars nor more than two hundred dollars for each and every day on which such passenger or freight elevator is run or operated after such demand for and refusal of the making of such test.

**662. Certificate to be furnished and posted.]** Whenever any such elevator shall have been inspected and the tests herein required shall have been made of all safety devices with which such elevator is required to be equipped, if the result of such inspection and tests

shall show such elevator to be in good condition, satisfactory to the commissioner of buildings or the inspector of elevators, and that such safety devices have been provided, in accordance with the requirements of this chapter, and are in good working condition and in good repair, it shall be the duty of the commissioner of buildings or inspector of elevators to issue or cause to be issued, upon the payment of the inspection fee required by the provisions of this chapter, a certificate setting forth the result of such inspection and tests, and whether such elevator and its equipment is in safe condition and in good working order. Such certificate shall be furnished to the owner or agent of the building wherein such elevator is operated, and shall be posted by such owner or agent in a conspicuous place in such elevator.

If the result of such inspection or tests shall show such elevator not to be in safe condition or not to be in a condition of good repair, or shall show that such devices, or any of them, have not been furnished, or, if furnished, are not in good working order or in a good condition of repair, such certificate shall not be issued until such elevator and its equipment or such safety device or devices shall have been put in good working order and in a good condition of repair, satisfactory to the commissioner of buildings or the inspector of elevators.

In any event, however, the inspection fees herein required shall be paid either at the time application is made for inspection or upon the completion of such inspection and tests.

**663. Tests to be made semi-annually.]** It shall be the duty of the commissioner of buildings to cause the tests to be made as provided for in sections 659, 660, 661 of this chapter of each passenger and freight elevator in the city at least once in every six months from and after the issuance of the first certificate.

**664. Inspectors—duties of—power of commissioner to shut down elevators.]** Whenever any inspector of any passenger or freight elevator finds any of the running parts or automatic devices, or other equipment, out of order or in an unsafe condition he shall immediately report the same to the commissioner of buildings, together with a statement of all the facts relating to the condition of such elevator or elevators.

It shall be the duty of the commissioner of buildings, upon receiving a report from any inspector of the unsafe condition of any elevator, to order and cause such elevator to be stopped from use until the same shall have been placed in a safe condition, and any owner or agent of any building wherein any such passenger or freight elevator is run or operated within the city who permits or allows any such elevator to run after the receipt of a notice in writing, from the commissioner of buildings that any such elevator is out of order, or is in an unsafe condition, shall be fined not less than twenty-five



dollars nor more than two hundred dollars for each and every day on which such elevator is run or operated without being put in a safe condition or placed in good order.

**665. Device—efficient—to be approved.]** Any device which shall prove efficient for the purposes hereinbefore described in this chapter shall be approved by the commissioner of buildings, if, after a test by said commissioner or any of his elevator inspectors, it is found that such device or devices satisfactorily performs the work it is intended should be performed by such device or devices in and by the provisions of this chapter.

**666. Inspections to be made at the same time—one fee.]** All certificates for and inspections of hoistways and elevators provided for in this article shall be made at the same time and the fee required to be paid by section 668 of this chapter shall include the cost of all such inspections and issuance of such certificates.

**667. Elevators not required to be equipped with safety devices.]** The provisions of this chapter requiring the equipment of elevators with safety devices shall not apply to any elevator or elevators in any private residence not more than three stories in height, nor to any hand hoists, elevator or hoist used solely for hoisting materials or tools in any building in course of construction.

For the purposes of this section, flat or apartment buildings shall not be held to be private residences, and any elevator or elevators operated in such flat or apartment buildings shall be equipped with safety devices in accordance with the provisions of this chapter.

**668. Inspections—fees.]** The owners, agents or occupants of any building in which an elevator is used shall pay to the city collector, before a certificate of inspection is issued, a fee of two dollars for each inspection of each elevator made in pursuance of the provisions of this chapter.

**669. Certificates of inspection—construction—details of.]** When an inspector finds a hoistway, door, shaft and elevator and its equipment, including safety devices, in a sound and safe condition, he shall make and deliver to the owner, or to his agent, a certificate signed by the commissioner, which shall contain the date of inspection, the condition of the elevator at that date, the weight it may safely carry, and a statement that the shaft, doors and all equipments, including safety devices, are constructed in a safe and proper manner and are constructed in accordance with the provisions of this chapter, which certificate shall be by the owner of the elevator framed and put in some conspicuous place in such elevator for examination by the public; provided that the words "safe condition" in this section shall mean that it is safe for any load up to the amount of weight named in such certificate.

**670. Hatch—doors—freight elevators.]** It shall be lawful for ele-

vators used exclusively as freight elevators to be without inclosing walls, but in all such cases there shall be at every floor through which such freight elevators pass, automatic hatch closers or automatic doors, made in such manner that they will fully close each well hole when the temperature in such well hole exceeds one hundred and forty degrees Fahrenheit; and it shall be the duty of the owner, agent or person in possession, charge or control of the building in which such elevator or elevators is or are maintained to keep such hatch closers or doors at all times in good working order, and any such owner, agent or person failing to do so shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

Before any doors shall be considered as complying with the provisions of this section they shall be examined by the commissioner of buildings and the fire marshal, and if it be found by such officials that such doors will automatically close when the temperature at or near the same exceeds one hundred and forty degrees Fahrenheit, and that also the conditions of construction and operation of such doors or hatch closers are such that there is no reasonable probability of their getting out of order and failing to operate when required, and if there is nothing in their construction or operation that is likely to cause accidents to or interference with the elevator service in the hatch holes which they are intended to close, then, and in such case only, shall the use of such hatch closers or doors be permitted.

But such automatic hatch closers or doors shall only be permitted in cases where the building in which such freight elevator is in use shall be equipped with stairways, or stairways and passenger elevators, sufficient to afford ample means of escape from such building in case of fire for all persons employed or for all persons in such building, and in buildings not so equipped such freight elevators shall be inclosed in fireproof walls, as hereinafter required.

Provided that all freight elevators herein specified shall be either inclosed in fireproof walls, as hereinafter required, or equipped with automatic hatch closers or doors as herein specified; and Provided, further, that this section shall not apply to elevators in fireproof buildings.

**671. Passenger and freight elevators—inclosure of.]** In all non-fireproof buildings all passenger elevators and all freight elevators, except such as are expressly excepted by this chapter, shall be inclosed in a wall of brick, tile or such other incombustible material as may, from time to time, be approved by the commissioner of buildings as proper and suitable for the purpose; such wall to extend from the foundation to the roof of such building, and when built of brick or tile to be entirely self-sustaining; Provided, that where such elevator shafts are placed within walls or partitions of fireproof material surrounding such shafts in common with stairways or in common with

stairways and corridors additional inclosures about such shafts alone shall not be required. Provided, further, however, that the provisions of this section shall not apply to any non-fireproof building which is equipped throughout on every floor and in every room thereof and in all stairways, platforms, elevator shafts, elevator hoistways and well holes with an automatic sprinkler system approved by the fire marshal.

**672. Doors—on elevators.]** In all elevator shafts which are herein required to be inclosed with fireproof walls, the openings through which ingress and egress to and from such elevators is had, shall be equipped with fireproof doors, of iron or other incombustible material, to be approved by the building commissioner, which shall be made to open from the inside, except that they shall also be made to open from the outside by means of a key or other device satisfactory to the said commissioner.

**673. Skylights—over elevators—windows.]** The roof of each such passenger elevator, shaft or inclosure shall be formed by a skylight, and passenger elevators shall have a ventilator of at least one-twentieth of the area of the shaft, which shall have an operating device which shall be operative from every floor. Skylights may be omitted in shafts wherein there are windows opening on streets, alleys or courts or other vacant spaces, which will permit sufficient light and air, but such windows shall be glazed with fire-resisting glass.

The foregoing provisions relating to elevators and hoistways shall apply to buildings now existing or hereafter constructed.

**674. Safety of employees—provisions for.]** In every factory, workshop, or other place or structure where machinery is employed, the belting, shafting, gearing, elevators and every other portion of machinery, when so located as to endanger the lives and limbs of those employed therein while in the discharge of their duties, shall be, as far as possible, so covered or guarded as to make them reasonably safe and to prevent injury to such employees.

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## ARTICLE XIX.

### FIRE ESCAPES AND STANDPIPES.

**675. Buildings required to have fire escapes and standpipes—inspection—fee.]** All buildings of four or more stories in height, in the city, except buildings used exclusively for private residences having two flights of stairs leading from the ground floor to the top floor of the building, shall be provided and equipped with one or more me-

tallic standpipes and ladders combined, or stair fire escapes, as described in section 683 of this chapter, with wrought-iron or steel balconies, with suitable railings at each floor and firmly secured to the outer walls, and in such locations and numbers as shall be satisfactory to the commissioner of buildings, the fire marshal and the fire-escape inspector.

All such fire escapes shall be put up and completed to conform to the buildings for which they are respectively intended, and shall be inspected after completion, and if found in a perfectly safe and satisfactory condition, a certificate shall be issued by the commissioner of buildings to that effect, to the owner, agent or occupant of any such building, upon payment to the city collector of a fee of one dollar.

**676. Specifications for ladder fire escapes—anchors.]** All single and double fire escapes, with ladders, hereafter erected, shall be in strict accordance with the following specifications:

There shall be no less than three one-inch square wrought-iron anchors to every six-foot balcony, and six for a twelve-foot balcony. Such anchors shall pass through the wall of building and bolt on the inside with a three-fourths by two-inch nut and three and one-half inch iron washer back of nut, where the wall is not over twenty inches thick; but where wall is over twenty inches thick, anchors shall be inserted at least eight inches into the wall on an angle of thirty-five degrees.

The brace of anchors shall at least be twenty inches spread, and pass into the wall four inches at bottom. No other form of anchors shall be allowed without a special permit from the commissioner of buildings.

**677. Balconies.]** All balconies hereafter erected shall be either steel or wrought iron, capable of sustaining a weight of five hundred pounds to the square foot. The balcony frame shall be made of not less than one and one-half by three inches angle iron, securely riveted together, with crossbars every two feet, such bars to be punched one-half inch square every two inches center, and one-half inch square iron forced through the same, leaving a manhole of not less than twenty-four by twenty-four inches. The crossbars shall be securely riveted to the angle iron frame. The crossbars for a balcony twenty-eight inches wide shall be one and one-half by three-eighths inch iron. Balcony frames over twenty-eight inches wide shall be made of not less than two by three-eighths inch iron to conform with the increased dimensions of iron in crossbars; for thirty-inch balcony, two by three-eighths inch; for thirty-six inch balcony or over, two and one half by three eighths inch. All balconies over this width shall have a two-inch "T" iron through the center of balcony for the bars to rest upon. Such balconies shall have a substantial cast or wrought iron post every three feet, bolted to the balcony. No balcony shall have

less than two guard rails, which shall be of wrought iron, or new pipe not less than three-fourths inches in diameter, and the ends shall be anchored in the wall of the building not less than ten inches on an angle of thirty-five degrees.

**678. Ladders.]** The ladder, where used in combination with the standpipe, shall be bolted to such standpipe with short tapped bolts every four feet and bolted to the balconies. Rungs of ladder shall be one-half inch square iron, with the corners upward, so as to give a safe footing. Every other rung shall be riveted and shall be fourteen-inch centers. Where a ladder is put up without a standpipe, the side guards shall be two by three-eighths inch flat iron or one and one-fourth inch pipe. All ladders shall be seventeen inches or more between pipes. No second-hand pipe shall be used.

**679. Standpipes outside buildings.]** The standpipe shall be of the best three-inch wrought iron, seven and one-half pounds to the foot, and a two and one-half inch brass hose valve, of the city standard thread, shall be attached to the standpipe at every outlet at each floor and on the roof.

**680. Standpipes inside buildings—hotels and lodging houses over three stories to have—location and maintenance of, subject to approval by fire marshal—penalty.]** Inside of every building of any of the classes hereinbefore defined which is over one hundred feet in height and inside every building over three stories in height which is occupied exclusively or chiefly for hotel or lodging house purposes, there shall be one four-inch standpipe, extending from pump to roof, also connection on first floor with two-way siamese connection for fire department and check valve against pump; one hose connection on each floor and roof, with fire department thread and enough hose attached to reach any point of the floor; such hose shall be subject to the approval of the fire marshal. Each such standpipe shall be located and maintained to the satisfaction and approval of the fire marshal and shall at all times be connected either with a pump or with a tank upon the roof of such building, in such a manner as to be capable of furnishing a good stream of water sufficient for the use of the fire department and at a pressure of not less than fifty pounds to the square inch. The owner, agent, occupant, or person in possession, charge, or control of any such building herein required by the provisions of this section to be equipped with a standpipe, who shall refuse, neglect, or fail to have such standpipe so connected as to be at all times ready and capable of furnishing a stream of water at a pressure of not less than fifty pounds to the square inch, shall be fined not less than fifty dollars nor more than two hundred dollars for each offense.

**681. Siamese.]** There shall be a two-way automatic siamese at the bottom of each standpipe, so that two steam fire engines may be at

tached to it without interfering with each other. Such siamese shall be within easy reaching distance from the sidewalk and be securely anchored to the wall of the building.

**682. Anchors for top of standpipe—painting.]** All the anchors for the top of standpipe and ladders shall pass through the wall and bolt on the inside of same.

All work shall be painted with two coats of the best mineral paint, and all holes shall be filled up with the best cement.

**683. Stairway fire escapes — erection of — location — component parts.]** The commissioner of buildings or fire escape inspector shall determine upon the location of all stair fire escapes before erection of same is commenced.

A permit shall be obtained from the department of buildings before work is commenced, which permit will be issued on payment to the city collector of a fee of two dollars.

No permit for a stairway fire escape projecting three feet or more from the face of the wall shall be granted unless a detailed plan for the fire escape, approved by a licensed architect or practising structural engineer, is submitted to the commissioner of buildings, and a copy of such plans shall be left on file with said commissioner.

All anchors for stairway fire escapes shall, wherever possible, pass through the wall of building and be secured on inside of same. Where it is impossible to anchor through walls, anchors shall be put in wall not less than fifteen inches at an angle of thirty-five degrees. On buildings of steel construction, where walls are less than twenty inches in thickness, there shall be steel channels at least four inches wide set on inside of building from column to column and bolted or riveted to columns, and anchors shall be bolted on inside of channels.

Anchors for a platform four feet two inches or less in width shall be made of one-inch square iron; over four feet two inches and not over six feet, shall be one and one-fourth inch square iron, with brace; over six feet, shall be one and one-half inches square iron, with brace. All anchors shall be turned up not less than six inches at the outside of platform to bolt post to.

Braces shall be the same thickness as the anchors. Spread of braces shall be the width of platform. Where the platforms are over five feet in width, anchors shall have double braces, one to the outside and one to the center of platform.

Platforms shall be not less than fifty inches wide at ends; passageways shall be not less than twenty-four inches between buildings and railings. Platforms shall be not less than twelve feet in length. The frames and crossbars shall be made as specified by section 677 of this chapter. Platforms shall have clips at each end bolted to anchors. No door or window or shutter shall open so as to obstruct in

any way the free passage on or along a platform or a staircase or ladder fire escape.

All fire escape stairs for apartment buildings, hotels, boarding houses, factories and office buildings, where there are less than one hundred people, shall be not less than two feet wide between railings and stringers. Where there are more than one hundred people, stairs shall be three feet wide. All stairs for halls, churches, theaters, hospitals, schools, department stores and buildings where large numbers of people congregate shall be not less than three feet wide in the clear, and all passageways shall be not less than three feet wide in the clear; stringers shall be made of two bars three by five-sixteenths inches, about one inch apart, or four and one-half by three-eighths inch flat iron. Where over twelve feet in length, they shall have anchor and brace in center. The treads shall be made of one-half inch square steel or iron, corner upwards, not to exceed one and five-eighths inches center, riveted at ends to two by five-sixteenths inch flat iron or steel. There shall be not less than four bars to a tread, where treads are less than twenty-seven inches in length; where treads are over twenty-seven inches in length, there shall be not less than six bars to a tread; then, there shall be a truss supporting treads made of bar iron two inches by three-eighths of an inch, riveted to bars of treads in center, supported by two seven-sixteenths inch rods bolted at each end of treads. All stairs shall have an incline of about forty-five degrees; rise of treads shall be not less than seven inches and not more than ten inches.

All stairs shall have three bar railings made of one-inch bar iron for top rail, and three-quarter inch bar iron for lower rail, and when such stairs are more than three inches from wall of building, then there shall be one or more hand rails on the wall side of such stairs.

All posts used for stair fire escapes shall be made of one and one-half inch angle or channel iron not less than three feet six inches high, and shall have braces on outside turned upwards and fastened to frame of balcony or stairs and not less than half way up the post; all stair fire escapes shall extend to the ground, either by counterbalance or drop stairs. Cables for counterbalance stairs shall be not less than three-quarters inch in size, and shall be well oiled or greased when hung up and oiled or greased at least once a year. All pulleys and cables holding counterbalance shall be covered at bracket, so as to protect it from snow or ice.

All stair fire escapes shall be painted with two coats of paint, one at the shop and one after completion at the building.

Where it is impossible to erect stair fire escapes according to these specifications, then plans shall be submitted to the commissioner of buildings or fire escape inspector for approval.

All such fire escapes shall, on completion, be inspected by the fire

escape inspector and, if found safe and satisfactory, a certificate will be issued upon payment of one dollar to the city collector.

**684. Fire escapes in general.]** No fire escape of any kind shall be constructed except upon a permit therefor issued by the commissioner of buildings upon the payment by the applicant therefor to the city collector of a permit fee of two dollars.

Every building in the city required by law to be equipped with metallic standpipes and wrought iron or steel balconies, or other fire escape devices, shall have displayed in conspicuous places, on each floor of such building, notices sufficient in number and in plainly legible type at least six inches in height, indicating and showing the location of such metallic ladders, balconies and fire escapes and the easiest way to reach them. If such notices be not displayed within thirty days after such equipment and kept continuously displayed, said commissioner is authorized to take such action as may be necessary to have such building closed.

**685. Penalty.]** Any owner, agent or person in possession, charge or control of any such building, who violates, disobeys, omits or neglects to comply with the terms of the foregoing section, shall be fined not less than five dollars nor more than fifty dollars for each offense, and every such owner, agent or person shall be deemed guilty of a separate offense for every day such violation, disobedience, omission or neglect shall continue, and shall be subject to the penalty imposed hereby for each and every such separate offense.

Where stair fire escapes pass windows or doors, the windows or doors shall be of fire-resisting glass and have metal frames and sash, or such fire escapes shall be hooded with metal for at least two feet each side of such opening.

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## ARTICLE XX.

### FIRE LIMITS.

**686. Fire limits of city.]** The fire limits of the city of Chicago shall be and are hereby defined as follows: all that part of the city of Chicago bounded by the following limits: commencing at the intersection of the shore of Lake Michigan and a line one hundred and fifty feet north of the center line of Belmont avenue, thence west on said first mentioned line to the center line of North Halsted street, thence south along said center line of North Halsted street to the center line of Fullerton avenue, thence west along said center line of Fullerton avenue to the center of the north branch of the Chicago river, thence northwesterly along the center of said north branch of the river to the center line of Belmont avenue, thence west along said



center line of Belmont avenue to the center line of Kedzie avenue, thence south along said center line of Kedzie avenue to the center line of West North avenue, thence west along said center line of West North avenue to the center line of North Fortieth avenue, thence south along said center line of North Fortieth avenue to the center line of the first alley north of Park avenue, thence west along the center line of said alley to the center line of South Forty-Sixth avenue, thence south along said center line of South Forty-Sixth avenue to the center line of West Madison street, thence west along the center line of West Madison street to the center line of South Forty-Eighth avenue, thence north along said center line of South Forty-Eighth avenue to the center line of Kinzie street, thence west along said center line of Kinzie street to the center line of South Fifty-Second avenue, thence south along said center line of South Fifty-Second avenue to the center line of West Madison street, thence east along said center line of West Madison street to the center line of South Forty-Eighth avenue, thence south along said center line of South Forty-Eighth avenue to the center line of West Jackson street, thence east along said center line of West Jackson street to the center line of South Forty-Sixth avenue, thence south along said center line of South Forty-Sixth avenue to the center line of West Harrison street, thence west along said center line of West Harrison street to the center line of South Forty-Eighth avenue, thence south along said center line of South Forty-Eighth avenue to the center line of West Twelfth street, thence east along said center line of West Twelfth street to the center line of South Forty-Sixth avenue thence south along said center line of South Forty-Sixth avenue to the center line of West Twenty-Second street, thence east along said center line of West Twenty-Second street to the center line of South Fortieth avenue, thence south along said center line of South Fortieth avenue to the center line of the Illinois and Michigan canal, thence northeasterly along the center line of said canal to the center line of South Western avenue, thence south along said center line of South Western avenue to the center line of West Thirty-Ninth street, thence east along said center line of West Thirty-Ninth street to the center line of State street, thence south along said center line of State street to the north line of West Forty-Seventh street, thence west along said north line of West Forty-Seventh street to a line seventy-five feet west of the west line of South Halsted street, thence south along said line seventy-five feet west of the west line of South Halsted street to a line seventy-five feet north of the north line of West Sixty-Third street, thence west along said line seventy-five feet north of the north line of West Sixty-Third street to the center line of South Ashland avenue, thence south along the center line of South Ashland avenue to the center line of West Sixty-Third street, thence east along said center line of West

Sixty-Third street to the center line of State street, thence south along said center line of State street to the center line of East Seventy-Fifth street, thence east along said center line of East Seventy-Fifth street to the shore of Lake Michigan, thence northerly and northwesterly along the shore of Lake Michigan to the place of beginning.

Also commencing at a point in the center of Manistee avenue where it intersects the right of way of the main line of the Lake Shore and Michigan Southern railroad; thence northeasterly and north along the center line of Manistee avenue to the center line of Eighty-Ninth street, thence east along the center line of Eighty-Ninth street to the center line of Mackinaw avenue, thence south along the center line of Mackinaw avenue to the center line of Harbor avenue, thence southwesterly along the center line of Harbor avenue and Harbor avenue extended to the northeasterly line of said Lake Shore and Michigan Southern railroad, thence northwesterly along the northeasterly line of said right of way to the place of beginning.

**687. Fire limits—provisional.]** Provided, however, that any person desiring to erect a frame or wooden building, to be used for residence or mercantile purposes, within that portion of the territory bounded on the east between Sixty-Seventh and Seventy-Fifth streets, by Lake Michigan, on the south by the center line of Seventy-Fifth street, on the west by the center line of State street to the intersection of Sixty-Third street, thence east along the center line of Sixty-Third street to the intersection of Cottage Grove avenue, thence south along the center line of Cottage Grove avenue to the intersection of Sixty-Seventh street, thence east along the center line of Sixty-Seventh street to Lake Michigan, shall have a right to do so, upon presenting a petition to the commissioner of buildings, together with a plat, plans and specifications showing the place where such building is to be erected. Such petition shall be verified by the affidavit of the applicant and shall contain the written consent of the owners of a majority of the frontage upon each side of the streets or alleys in the block or square in which the building is to be erected.

No frame or wooden residence or mercantile building shall be erected within the said provisional fire limits exceeding forty feet in height, unless the basement story shall be constructed of brick or stone, in which case the height shall not exceed forty-five feet above the sidewalk.

**688. Fire limits—exception from.]** There shall be excepted from the fire limits as hereinbefore defined, the territory bounded as follows:

Commencing at the intersection of a line seventy-five feet west of the west line of State street and a line seventy-five feet south of the south line of Forty-Seventh street; thence west along said line seventy-five feet south of the south line of Forty-Seventh street to a

line seventy-five feet east of the east line of Wentworth avenue; thence south along said line seventy-five feet east of the east line of Wentworth avenue to a line seventy-five feet north of the north line of Sixty-Third street to a line seventy-five feet west of the west line of State street; thence north along said line seventy-five feet west of the west line of State street to the place of beginning.

Also that territory within the lines beginning at the intersection of a line seventy-five feet west of the west line of Wentworth avenue and a line seventy-five feet south of the south line of Forty-Seventh street; thence west along said line seventh-five feet south of the south line of Forty-Seventh street to a line seventy-five feet east of the east line of South Halsted street; thence south along said line seventy-five feet east of the east line of South Halsted street to a line seventy-five feet north of the north line of Sixty-Third street; thence east along said line seventy-five feet north of the north line of Sixty-Third street to the center line of Princeton avenue; thence north along said center line of Princeton avenue to the center line of Sixty-First street to a line seventy-five feet west of the west line of Wentworth avenue; thence north along said line seventy-five feet west of the west line of Wentworth avenue to the place of beginning.

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## ARTICLE XXI.

### FRONTAGE CONSENTS.

**689. Definition of word "block," as used in this chapter.]** Whenever in this chapter a provision is made that frontage consents shall be obtained for the erection, construction, alteration, enlargement or maintenance of any building or structure in any block, the word "block," so used, shall not be held to mean a square, but shall be held to embrace only that part of a street bounding the square which lies between the two nearest intersecting streets, one on either side of the point at which such building or structure is to be erected, constructed, altered, enlarged or maintained, unless it shall be otherwise specifically provided.

**690. Hospitals—permits—special consents—height of.]** It shall be unlawful for any person or corporation to build, construct, maintain, conduct or manage in any block, if two-thirds of the buildings fronting upon both sides of the streets bounding such block or square are devoted exclusively to residence purposes, any hospital for the care, treatment or nursing of three or more insane persons or any hospital for the care, treatment or nursing of three or more inebriates, or persons suffering from the effects of excessive use of alcoholic liquors; or any hospital for the care, treatment or nursing of three or more

epileptics; or any hospital for the care, treatment or nursing of three or more persons addicted to, or suffering from, the excessive use of morphine, cocaine or other similar drugs or narcotics; or any hospital for the care, treatment or nursing of any person or persons affected with any infectious or contagious disease, unless the owners of a majority of the frontage in such block and in addition thereto the owners of the majority of the frontage on the opposite sides of the streets bounding such block consent in writing to the building, constructing or maintaining, managing or conducting of any such hospital in such block. Such written consents of the majorities of such property owners shall be filed with the commissioner of buildings, and an exact copy of same shall be filed with the commissioner of health before a permit shall be granted for the building or constructing or a license issued for the maintaining, conducting or managing of any such hospital. Provided that any such building that may be used for such purposes as set forth in this section and which is over two stories in height shall be of fireproof construction throughout, and no hospital shall be built to exceed six stories in height.

691. Hospitals near schoolhouses—location of.] No hospital of any kind or description hereafter erected or established shall be erected or established within four hundred feet of any property used for school purposes.

692. Stables—gas reservoirs—blacksmith shops—foundries—packing houses—rendering plants—soap factories—tanneries—breweries—distilleries—grain elevators—junk shops—laundries—special consents necessary.] It shall not be lawful for any person, or corporation to locate, build, construct, or maintain, on any street or alley in the city, in any block in which two-thirds of the buildings on both sides of the street are used exclusively for residence purposes, any building for a boarding, livery or sale stable, gas reservoir, blacksmith shop, foundry, packing house, rendering plant, soap factory, tannery, brewery or distillery, grain elevator, junk shop, or laundry to be run by machinery, without the written consent of a majority of the property owners according to frontage, on both sides of such street or alley.

Such written consent shall be obtained and filed with the commissioner of buildings before a permit is issued for the construction of any such building. Provided, that in determining whether two-thirds of the buildings on both sides of the street are used exclusively for residence purposes any building fronting upon another street and located upon a corner lot shall not be considered.

693. Reformatories—sheltering institutions.] It shall be unlawful for any person or corporation to build, construct, maintain, conduct or manage any reformatory, rescue or sheltering institution in any block or square in which two-thirds of the buildings on both sides of the street or streets on which the proposed reformatory, rescue or

sheltering institution may front, are used exclusively for residence purposes, without the written consent of a majority of the property owners, according to frontage, on both sides of the streets bounding such block.

Such written consent shall be obtained and filed with the commissioner of buildings before a permit is issued for the construction or keeping of such building.

Provided, that in determining whether two-thirds of the buildings on both sides of the street are used exclusively for residence purposes, any building fronting upon another street and located upon a corner lot, shall not be considered.

**694. Permits for moving frame buildings—requirements—written consents must be obtained—affidavits made.]** Permits to move frame buildings shall be granted if any such frame building has not been damaged by an extent greater than fifty per cent. of its original cost, by fire, wear and tear, the action of the elements or otherwise. Any person desiring to remove a frame building shall first obtain the written consent to such removal from persons owning a majority of the frontage of the lots in the same block or square in which it is proposed to locate such removed building, and also the consent of the persons owning a majority of the frontage of the lots opposite and nearest to the proposed location and within one hundred and fifty feet of the same.

This section shall not apply to the case of any person removing a building upon his own premises and not going upon the premises of any other person, or upon any street alley or other public place, in making such removal.

Provided, however, that no permit shall be issued for the removal of any frame building from any point outside the fire limits to any point within the fire limits, when such building is of such a character that it would not be lawful to build it within the fire limits.

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## ARTICLE XXII.

### USE AND OBSTRUCTION OF STREETS FOR BUILDING PURPOSES.

**695. Sidewalk and street—occupation of—limitations.]** The extent of occupation of sidewalk and street to be covered by the terms of a permit for street obstruction or building, shall be as follows:

Such permit shall not authorize the occupation of any sidewalk or street or part thereof other than that immediately in front of the lot or lots upon which any building is in process of erection and in relation to which such permit is issued.

During the progress of building operations a sidewalk not less than

four feet in width shall be at all times kept open and unobstructed for the purpose of passage in front of such lot or lots. Such sidewalk shall if there are excavations on either side of the same be protected by substantial railings which shall be built and maintained thereon so long as excavations continue to exist. It is not intended hereby to prohibit the maintenance of a driveway for the delivery of material across such sidewalk from the curb line to the building site.

**696. Sidewalks—delivery of material—elevated sidewalks.]** It shall be permitted for the purposes of delivering material to the basements of buildings in process of erection to erect elevated temporary sidewalks to a height of not exceeding four feet above the curb level of the street; and in case a sidewalk is so elevated, it shall be provided with good, substantial steps or easy inclines on both ends of the same and shall have railings on both sides thereof.

**697. Sidewalks—temporary roof over—time maintained.]** If the building to be erected is more than four stories in height, and is set at or near the street line, there shall be built over the adjoining sidewalk a roof having a framework and covering composed of supports and stringers of three by twelve timbers, not more than four feet from centers, covered by two layers of two-inch plank.

Such roof shall be maintained as long as material is being used or handled on such street front and above the level of such sidewalk.

In all cases such temporary sidewalks and their railings and approaches, and the roofs over the same, shall be made, as regards ease of approach, strength and safety, to the satisfaction of the commissioner of buildings.

**698. Street—storage of building materials—limitations.]** The occupation of the street for the storage of building materials, or for temporary sidewalks, shall never exceed, in front of any one building one-third of the width of the roadway of the same, and in no event shall any material be stored or placed within four feet of any street or steam railway track.

**699. Sidewalks and street—excavated material and rubbish on—how cared for.]** Earth, other than sand to be used in the construction of the building, taken from excavations, and rubbish taken from buildings shall not be stored either upon sidewalks or roadways of streets, and shall be removed therefrom from day to day as rapidly as produced. When dry rubbish, apt to produce dust, is being handled, it shall be kept wetted down so as to prevent its being blown about by the wind.

**700. Derricks—limitations.]** For all buildings more than four stories in height, the use of derricks set upon the sidewalk or street is prohibited. In no case shall the guy lines be less than fifteen feet above the roadbed.

**701. Frontage adjacent—how occupied for building purposes.]** If the written consent and a waiver of claims for damages against the

city of the owners of properties abutting upon the site of any proposed building is first obtained and filed with the commissioner of public works, the permission to occupy the roadway and the sidewalk may be extended beyond the limits of such building in front of the property for which the consent of the owner or lessee thereof has been secured, upon the same terms and conditions as those herein fixed for the occupation of sidewalk and street in front of the building site.

**702. Street—use of for building purposes—when terminated.]** Streets and sidewalks may be occupied for the purposes of building only in connection with the actual erection, repair, alteration or removal of buildings, and permission for such occupancy shall terminate with the completion of such operation. It shall be unlawful to occupy any sidewalk or street after the completion of the operation for which a permit has been issued by the department of buildings. It shall also be unlawful to occupy a sidewalk or street, under authority of such permit, for the storage of articles not intended for immediate use in connection with the operations for which such permit has been issued.

**703. Red lights.]** Red lanterns shall be displayed and maintained during the whole of every night at each end of every pile of material in any street or alley and at each end of every excavation.

**704. Street obstructions—permits—bonds—fees.]** Permits for the obstruction of streets shall be issued by the commissioner of public works and shall be paid for, in proportion to the street frontage occupied, at the rate of two dollars per month for each twenty-five feet of frontage so occupied.

No permit shall be issued until the applicant therefor shall have executed and filed with the commissioner of public works a bond, with sureties to be approved by said commissioner, and in an amount to be designated by him (in no case to be less than ten thousand dollars), conditioned to indemnify, save and keep harmless the city from any and all loss, cost, expense or liability of any kind whatsoever which it, the city, may suffer or to be put to or which may be recovered from it from or by reason of the issuance of such permit, or by reason of any act or thing done under or by virtue of the authority given in such permit.

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## ARTICLE XXIII.

### BILLBOARDS AND SIGNS.

**705. Billboards or signs on buildings.]** Every billboard or sign of greater height than two feet and placed on any building above the level of the ground shall be made wholly of incombustible material  
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and shall be securely anchored and fastened in a manner satisfactory to and approved by the commissioner of buildings.

No billboard or sign anchored to, fastened to, or situated above or upon the roof of any building shall be constructed so that the bottom of such billboard or sign shall be less than one foot or more than six feet above the surface of such roof, and no such billboard or sign shall exceed eight feet in height or be more than one hundred square feet in superficial area.

No billboard or sign such as is described in this section, whether anchored to or fastened to any building, or situated or located upon the roof thereof, shall be constructed or put in place unless in accordance with plans and specifications which have been submitted to and approved by the commissioner of buildings.

Billboards or signs made of incombustible material attached to buildings shall not be of greater height than two feet, and shall be erected, constructed and maintained in a manner satisfactory to and approved by the commissioner of buildings.

**706. Size — construction — exception.]** All signs or billboards other than those painted on or erected upon any building shall be limited in their superficial area to one hundred square feet, and shall be constructed of sheet or galvanized iron or some equally incombustible material, and such signs or billboards shall not be located nearer than twenty-five feet back of the front line of the lot whereon the same are to be erected. All such signs or billboards shall be securely anchored or fastened so as to be safe and substantial.

**707. Height and distance from ground.]** No such sign or billboard shall be constructed at a greater height than ten feet above the level of adjoining streets, and the base of the sign or billboard shall be in all cases at least three feet above the level of the adjoining streets. In case the grade of adjoining streets has not been established, no sign or billboard shall be constructed at a greater height than ten feet above the surface of the ground.

**708. Wooden billboards or signs—construction—size.]** Billboards or signs not exceeding twelve square feet in area may be built of wood or other combustible material, and such signs shall be exempted from the provisions of this article.

**709. No billboard or sign to be erected without permit.]** No billboard or sign such as is described in this article shall be erected, constructed or maintained within the city unless a permit shall first have been secured by the person desiring to erect, construct or maintain such billboard or sign, from the commissioner of buildings. Application for such permit shall be made in writing and shall be accompanied by such plans and specifications of the proposed billboard or sign as are necessary to fully advise and acquaint the said commissioner with the construction of such proposed billboard or



sign. If the plans and specifications accompanying such application shall be in accordance with the provisions of this article, said commissioner shall thereupon issue a permit for the erection or construction of such billboard or sign, upon the payment by the applicant of a fee as hereinafter fixed.

**710. Alteration and repair of billboards.]** No material alteration or repair of any billboard or sign shall be made, except upon a written permit issued by the commissioner of buildings, authorizing such alteration or repair, and such permit shall be issued upon application in writing made to such commissioner by the owner of such billboard or sign or by the person in charge, possession or control thereof, accompanied by a plan or written statement of the proposed alterations and repairs to be made, which, if satisfactory to and approved by the commissioner of buildings shall authorize such applicant to receive a permit upon payment of a fee therefor as hereinafter fixed.

**711. Billboards now existing to be altered to comply with the provisions of this article.]** Every now existing billboard or sign, whether erected upon or above the roof of any building, or attached or fastened to the wall or walls of any building, or standing upon or erected upon any lot or premises which is not erected or maintained in compliance with the provisions of this article, shall be forthwith removed or altered, changed or cut down so as to fully comply with such provisions; and any billboard or sign now existing and not complying with the provisions of this article, which shall not have been removed or torn down or so altered and changed within sixty days from and after the passage of this ordinance, as to be brought into conformity with the provisions of this article by the owner thereof or by the person in charge, possession or control thereof, shall be torn down by the commissioner of buildings and the cost and expense of tearing down and removing such billboard or sign shall be charged to the owner of such billboard or sign or the person in charge, possession or control thereof, and shall be recovered from such person for the use of the city by any proceeding deemed appropriate therefor.

**712. Duty of commissioner.]** It shall be the duty of the commissioner of buildings to inspect all plans and specifications submitted in connection with the erection or construction or the alteration or repair of any billboard or sign, and to approve the same if the method of construction and provisions made for fastening, securing, anchoring and maintaining such billboards or signs are such as will serve to protect the public and to render such billboards or signs safe and substantial. It is further made the duty of the commissioner of buildings to exercise a supervision over all billboards and signs erected or being maintained under the provisions of this article; and when ever it shall appear to said commissioner that any such billboard or

sign is in an unsafe condition or has become unstable or insecure or in such a condition as to be a menace to the safety of the public he shall thereupon issue or cause to be issued a notice in writing to the owner of such billboard or sign or the person in charge, possession or control thereof, if the whereabouts of such person is known, informing such person of the condition of such billboard or sign and directing him to make such alterations or repairs thereto, or to do such acts or things as are necessary or advisable to place such billboard or sign in a safe, substantial and secure condition. If the person so notified shall refuse, fail or neglect to comply with and conform to the requirements of such notice, said commissioner shall tear down or cause to be torn down and removed such billboard or sign, and shall charge the expense of such tearing down or removal to the person so notified. If the owner of such billboard or sign or the person in charge, possession or control thereof cannot be found, or his whereabouts is not easily ascertained, the commissioner shall attach or cause to be attached to such billboard or sign a notice of the same import as that required to be sent to the owner, where such owner is known, and if such billboard or sign shall not have been placed in a secure, safe and substantial condition, in accordance with the requirements of such notice, within thirty days after such notice shall have been attached to such billboard or sign, it shall be the duty of the commissioner of buildings to thereupon order such billboard or sign torn down and removed.

**713. Fees for permits.]** The fee to be charged for permits issued for the erection or construction of billboards or signs or for the alteration or repair thereof shall be two dollars for each billboard or sign.

**714. Penalty.]** Any person or corporation owning, operating, maintaining, or in charge, possession or control of any billboard or sign within the city, who shall neglect or refuse to comply with the provisions of this article, or who erects, constructs or maintains any billboard or sign that does not comply with the provisions of this article, shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense, and each day on which any such person shall permit or allow any billboard or signed owned, operated, maintained or controlled by him to be erected, constructed or maintained in violation of any of the provisions of this article shall constitute a separate and distinct offense.

**715. Fences—height of.]** No wooden fences shall be constructed of greater height than eight feet above the sidewalk grade, or eight feet above the surface of the ground, where no grade is established.

## ARTICLE XXIV.

## STORAGE OF OILS.

**716. Oils—storage of—buildings for storage of oils—walls—roof—floor.]** Buildings designed for the storage of crude petroleum, gasoline, naphtha, benzine, camphine, carbon oil, spirit gas, burning fluid, spirits of turpentine, or coal rock or earth oils (excepting such refined oils as will stand a fire test of one hundred and fifty degrees Fahrenheit according to the method and direction of John Tagliabue), shall be constructed as follows:

The walls shall be of brick, stone, or concrete, and shall be not less than sixteen inches thick or more than sixteen feet high. The lower floor of such buildings shall be at least three feet below the grade of the adjoining street and shall be made of earth, concrete, or brick. The roof of such buildings shall be made of tile, metal or other incombustible material, and the outside walls of any such building having a flat roof shall extend at least eighteen inches above the roof. The coping upon the roof of such buildings shall be made of incombustible material. Such buildings shall be detached from all other buildings and shall be properly ventilated. Where any such building shall be located less than twenty-five feet away from any other building or structure, the wall or walls of such building on the side or sides thereof within such distance of twenty-five feet from any other building or structure shall have no window or other opening therein; provided, however, that if such building cannot be so constructed that no outside wall thereof shall be less than twenty-five feet away from any other building or structure, in such case, openings may be made in the wall of such building which is located farthest away from any other building or structure for the purpose of admitting light or providing means of access thereto or egress therefrom. If such opening be a window, the glass in such window shall be fire-resisting glass, and such window shall be provided with a steel shutter.

No such building shall be occupied for any purpose other than the storage of oils, and no person shall be permitted to use any such building as a sleeping apartment or dwelling place.

The interior cubic capacity of any such building shall exceed by at least twenty-five per cent the total capacity of the tanks or other receptacles placed in such building.

Such buildings and the equipment thereof, including the protection of the doors and windows shall be constructed according to plans and specifications which have been submitted to and approved by the commissioner of buildings.

**717. Tanks for storage of oils.]** Tanks for the storage of any one

or more of the oils or fluids mentioned in the preceding section may be built outside of buildings either above or under the surface of the ground, provided the following specifications are complied with:

Such tanks shall be made of metal of sufficient gauge and tensile strength for the purpose for which they are to be used. All portions of such tanks are to be riveted together and shall be made liquid tight. Every such tank shall have a manhole and shall be equipped with adequate ventilating or safety devices.

All tanks other than those located in buildings constructed under the provisions of section 716 of this article, whether placed above or below the surface of the ground, shall have no building or structure of any kind whatsoever over or above the same; Provided, however, that if any such tank be located near a railroad track or manufactory or place where sparks are likely to fall and it is desired, in order to obviate such danger, to construct over such tank a shed or shelter, such shed or shelter may be constructed upon a permit in writing therefor being issued by the commissioner of buildings; and such permit shall only be issued if it shall be shown that such shed or shelter is necessary and upon the express agreement that such shed or shelter shall be used for no other purpose than affording protection or shelter and shall not be used for storage, manufacturing, residence, office, or any other purpose whatsoever.

**718. Walls around tanks.]** Where any such storage tank or any portion thereof is erected or maintained upon or above the surface of the ground and is situated less than fifty feet from any other building or structure other than the buildings or structures upon the premises wherein such oils or fluids are to be used or stored, such tanks shall be separated from any such building or structure by an inclosing wall of brick, stone or concrete; and such wall shall be not less than five feet high and in no case of less height than two feet higher than the top of the tank which it is designed to separate from such building or structure. If such wall be ten feet high or less it shall be not less than twelve inches in thickness, and four inches in thickness shall be added for every additional ten feet or major fraction thereof of height added to such wall. Such wall shall entirely surround or inclose such tank; Provided, however, that an opening may be constructed in such inclosing wall to permit access to the tank. Such opening shall contain a liquid-tight door made of incombustible material, either sliding or opening inward and of sufficient strength to resist any pressure which may be brought to bear on such door by the bursting of the tank inclosed in such wall.

All such tanks and walls described in this section shall be constructed in accordance with plans and specifications which shall have been submitted to and approved by the commissioner of buildings.

**719. Storage of petroleum, etc.]** It shall be unlawful for any per-

son, or corporation to keep or store crude petroleum, gasoline, naphtha, benzine, camphine, carbon oil, spirit gas, burning fluid, spirits of turpentine, or coal, rock or earth oil (excepting such refined oils as will stand a fire test of one hundred and fifty degrees Fahrenheit according to the method and direction of John Tagliabue), upon or in any structure or premises, in any quantity exceeding one barrel of fifty gallons, within the city, except in such a building or such tanks as are hereinbefore described in this article; and where a quantity of any of such oils exceeding five gallons and not exceeding fifty gallons is kept in any premises other than such a building the receptacle or receptacles in which such oils is or are kept shall not be placed under any stairway or in any confined space, but shall be kept in such manner that no vapor or gas therefrom can collect in such a quantity as to become dangerous; and no such receptacle or receptacles shall be stored, kept or handled at any time within fifteen feet of any gas, candle, oil or other like artificial light or near any lighted stove, gas grate or any open flame of any kind whatsoever; Provided, however, that a quantity of such oils exceeding one barrel of fifty gallons and not exceeding five barrels of fifty gallons each may be kept or stored in a room or apartment, the floor of which shall be at least five feet below the grade of the street adjacent to the building or structure in which such room or apartment is located, and such room or apartment shall have an air capacity of not less than fifteen hundred cubic feet and shall be properly ventilated in such manner as to prevent a dangerous accumulation of vapor or gas from such oils; and such room or apartment shall not be used for any purpose other than the storage and handling of such oils. In any such room or apartment as is last above described turpentine may be kept in a quantity not exceeding five hundred gallons.

No gas, candle, oil, or other like artificial light or lighted stove, gas grate or other open flame of any kind whatsoever shall be allowed within fifteen feet of any receptacle or receptacles containing any of the oils or fluids mentioned in this article while located, kept, or stored in any such room or apartment. If more than fifteen barrels of any of the oils hereinbefore described, are kept in any such building as herein provided for, such building shall be located not less than one hundred feet away from any other building or structure.

**720. Petroleum, etc., in transit not to be kept near buildings.]** It shall be unlawful for any person or corporation engaged in the business of transporting or delivering any of the oils or fluids mentioned in this article to permit such oils or fluids to remain in barrels, tanks, or other like receptacles, upon any railroad track, street, wharf, or dock for a longer time than is reasonably necessary to make provision for the storing or delivering of same; such time in no event, however, to exceed twenty-four hours.

**721. Oils—sale of regulated.]** It shall be unlawful for any person or corporation to sell, deliver, or receive any of the oils or fluids mentioned in this article, by gas, candle, oil, or other like artificial light.

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#### ARTICLE XXV.

##### MISCELLANEOUS PROVISIONS.

**722. Roofs for spectatorial purposes—permits.]** It shall be unlawful for any person, whether owner, lessee, manager or person in control or having charge of any building within the city to permit the use of the roof of any house or building, whether free of charge or through admission fee, to any person as a place of observation or for spectatorial purposes, unless he has first obtained from the commissioner of buildings of the city a permit; Provided, however, it shall not be unlawful for any person, whether owner, lessee, or the person in control or having charge of such house or building to permit the roof of any such house or building to be used as a place of observation or for spectatorial purposes for a number of persons not exceeding ten, and when no admission fee is charged.

**723. Inspection as to safety of buildings.]** Before issuing the permit as provided for in the foregoing section, the commissioner of buildings shall make an investigation as to whether such building is safe and secure enough to permit the presence of an estimated number of persons upon the roof thereof, and the permit so issued shall state the number of persons to be permitted on such roof. The commissioner of buildings shall see to it that every such roof is surrounded and inclosed with a railing or balustrade of sufficient height and strength to afford adequate protection.

**724. Fee for inspection.]** The person requiring such permit, as herein above provided for, shall make application to the commissioner of buildings for such an investigation, and shall pay, as a fee for such investigation and such permit the sum of five dollars.

**725. Penalty.]** Any person whether owner, lessee, manager or person having charge or control of any such house or building within the city who shall permit, allow or tolerate the use of the roof of such house or building so controlled by him, by any person for a purpose within the meaning of section 722 of this article, without first obtaining a permit as hereinbefore provided for, and without having the safety of such roof tested and investigated by the commissioner of buildings, as hereinbefore provided for, or who shall permit a larger number of persons than is provided for in his permit to congregate upon such roof, shall be fined not less than

twenty-five dollars nor more than one hundred dollars for each offense.

**726. Windows, cleaning of—safety devices.]** The owner or agent of every building, hereafter erected in the city, shall equip each and every window in any such building, above the second story thereof, with a suitable device or devices which will permit the cleaning of the exterior of each and every window in such building, above the second story, without danger to the person cleaning such windows, such devices shall be of such pattern and construction as will reasonably answer the purposes for which they are intended. Provided, however, that if windows are of such size that they may be easily cleaned from the inside they need not be equipped with such devices.

**727. Penalty.]** Any owner or agent of any building described in the preceding section who shall fail, neglect or refuse to comply with any of the provisions of such section, shall be fined not less than ten dollars nor more than fifty dollars for each offense, and each and every day which shall be allowed to elapse before any such building shall be supplied and equipped in accordance with the provisions of said section shall constitute on the part of the owner or agent of any such building a separate and distinct offense.

**728. Scaffolds—protection during building operations—temporary floors.]** All scaffolds erected in this city for use in the erection, repair, alteration, or removal of buildings, shall be well and safely supported, and of sufficient width, and properly secured, so as to insure the safety of persons working thereon or passing under, or by the same, and to prevent the falling thereof, or of any material that may be used, placed or deposited thereon.

It shall be the duty of every owner, person or corporation who shall have the supervision or control of the construction of or remodeling of any building having more than three framed floors, whether some or all of such floors are above or below the established street grade, to provide and lay upon the upper side of the joists or girders, or both, of the first floor below the riveters and structural steel setters, a plank floor, which shall be laid to form a good and substantial temporary floor for the protection of employes and all persons engaged above or below or on such temporary floor in such building.

Provided, however, that where the permanent floor is in place on the floor herein required to be planked, a temporary protective floor, shall not be required.

If the floor or permanent floor of the second floor, or of any other floor above the second, or roof, is being placed previous to the permanent floor of the floor immediately below the floor which is being arched or planked, a good and substantial temporary floor shall be laid on the joists and girders of the next lower floor. For the purposes of this section the lowest framed floor in a building shall be considered the first floor.

In buildings more than three stories high where persons are working on a scaffold or scaffolds on the outside of such building, such persons shall be protected by well-secured planking, set over the heads of such persons for the full width of the scaffolding on which they are working if another story or other stories are being raised above such persons during the time they are working on such outside scaffold or scaffolding.

It shall be the duty of all owners, contractors, builders or persons having the control or supervision of all buildings in course of erection which shall be more than thirty feet high, to see that all stairways, elevator openings, flues and all other openings in the floors shall be covered or properly protected.

**729. Penalty.]** Any person violating any of the provisions of the foregoing section shall be fined not less than one hundred dollars nor more than two hundred dollars for each offense, and any permit granted for the construction of such building by the authorities of the city may be revoked in the discretion of the commissioner of buildings.

**730. Gas or electric shut-off device—outside of building.]** Every building within the city in which gas or electricity is used for illuminating, heating or other purposes shall be equipped with a device or devices which will enable firemen to shut off the supply of gas or current of electricity to any such building from the outside thereof; such device or devices to be placed at such a point or at such points on the outside of any such building as may be designated by the fire marshal of the city and to be of such design and construction as to enable such device or devices to perform with reasonable certainty and safety the work required to be done thereby.

Any device or devices installed for the purpose of carrying out the provisions of this section shall first be approved by the fire marshal, and after the installation thereof the control of any such device or devices so installed in or upon any building under the provisions of this section shall be under the supervision of the fire department of the city.

Provided, however, that buildings used exclusively for residence purposes and out-buildings, sheds or barns attached or appurtenant to buildings used exclusively for residence purposes shall be exempted from the provisions of this section.

**731. Penalty.]** Any owner, agent or person having control or charge of any building coming within the provisions of the foregoing section, who shall neglect, fail or refuse to equip any such building with a device or devices such as are described in the foregoing section shall be fined not less than fifty dollars nor more than two hundred dollars for each offense, and each day which shall elapse before the equipment of any such building with a device or devices as herein



required shall be deemed a separate and distinct offense, and any person who shall disturb, meddle or tamper with any device or devices installed under the provisions of the preceding section upon any building or buildings, without authority from the fire marshal, shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

**732. License—contractors.]** Every person or corporation engaged within the city in the construction or repairing of the whole or any part of buildings and appurtenances shall be and he or it is hereby required to obtain a license from the city which shall permit him or it to engage thereafter in the business of contracting for the erection of buildings and appurtenances or parts thereof.

**733. Application—conditions.]** Every application for such license shall be made to the commissioner of buildings and shall set forth the name and residence or place of business of the applicant and the nature of the work which he or it desires to engage in for a period of one year thereafter, and shall be accompanied by a fee of two dollars.

**734. License to be issued.]** Said commissioner shall thereupon issue a license in due form, permitting the applicant to engage in the business of contracting for the erection of buildings and appurtenances, or parts thereof, in the city for one year from the date of such license, which date shall be the first day of May in the year in which such license is applied for, and no license shall be granted for any period less than a year, and all licenses shall run from the first day of May in each year until the thirtieth day of April in the succeeding year.

**735. Penalty.]** Any person or corporation who shall engage in the business of building in the city under contracts for the whole or any part of buildings and appurtenances, without first having obtained a license therefor as aforesaid shall be fined not less than twenty-five nor more than one hundred dollars for each offense.

**736. Walls—structures—buildings altered to conform to chapter.]** No wall, structure, building or part thereof shall hereafter be built, constructed, altered or repaired within the city except in conformity with the provisions of this chapter. No building already erected or hereafter to be built within the city shall be raised, altered or built upon in such a manner that if such building were wholly rebuilt or constructed after the passage of this ordinance it would be in violation of any of the provisions of this chapter.

**737. Buildings — expense of altering recoverable from owner by city.]** Whenever, in the opinion of the commissioner of buildings, it shall be necessary to tear down, alter, repair or rebuild any building or portion of any building which is dangerous, defective or unsafe, or which is reported to the said commissioner by the commissioner of health to be unfit for human occupancy, or which has been

built in violation of any of the provisions of this chapter or of any ordinance regulating the construction of buildings hereafter passed, said commissioner of buildings shall cause such building or such portion thereof to be torn down, altered, repaired or rebuilt or such work to be done thereon as he may deem necessary to render such building, or such portion thereof, safe or fit for human occupancy, and the expense thereof shall be recoverable from the owner or owners of such building by any proceeding that may be deemed appropriate.

**738. Penalty—fines for violation of chapter.]** Any person, or corporation who violates, neglects or refuses to comply with, or who resists or opposes the enforcement of any of the provisions of this chapter, shall be fined not less than twenty-five nor more than two hundred dollars for each offense, and every such person or corporation shall be deemed guilty of a separate offense for every day on which such violation, neglect or refusal shall continue; and any builder or contractor who shall construct any building in violation of any of the provisions of this chapter, and any architect designing or having charge of such building who shall permit it to be constructed, shall be liable to the penalties provided and imposed by this section.

## CHAPTER XVI.

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### ARTICLE I.

#### COAL.

**739. Measure prescribed.]** In the sale of coal, the hundred weight shall consist of one hundred pounds avoirdupois, and twenty such hundred weight shall constitute a ton.

**740. Weigher's certificate.]** Any person or corporation engaged in the business of selling coal in the city, to be delivered in said city, shall deliver to the purchaser at the time of the delivery of the coal purchased, a certificate, signed by a city weigher, showing the weight of the coal so delivered, and the weight of the wagon or cart.

**741. Penalty.]** Any person violating any of the provisions of this chapter, or who shall deliver to any purchaser a less quantity than two thousand pounds of coal for each ton purchased (or a proportionate amount for any part of a ton), or who shall practice any fraud or deceit in the sale or delivery of any coal purchased, to be delivered in said city as aforesaid shall be fined not less than twenty dollars, nor more than fifty dollars, for each offense.

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### ARTICLE II.

#### COAL INSPECTOR.

**742. Office created—appointment.]** There is hereby created the office of coal inspector. He shall be appointed by the mayor by and with the advice and consent of the city council.

**743. Duties.]** It shall be the duty of such officer to examine all coal sold and delivered to the city of Chicago, and ascertain whether the same is of the quality and kind required by the contract and specifications entered into by the party or parties contracting to deliver the coal to the city.

## CHAPTER XVII.

### DETECTIVE AGENCIES.

**744. License.]** The mayor shall, from time to time, grant a license to any person or corporation to act as a special or private detective and to engage in the business of furnishing or supplying special or private detectives for hire within the city, if any such person or corporation shall apply to him in writing therefor and shall furnish evidence satisfying him of his good character and responsibility, or in the case of a corporation, of the good character and responsibility of its officers and managers.

**745. Application.]** Each applicant shall set forth in such application the full name, or names, or corporate name and address of such applicant, the length of time that such applicant has acted as and been engaged or employed as a special or private detective, and in what localities.

**746. Terms of grant of license—revocation.]** No license shall be granted to act as special or private detective, or to engage in the business of furnishing or supplying special or private detectives unless the applicant for such license shall in such written application state and agree that during the term of such license if the mayor shall be satisfied that such applicant, or any of his or its employes is or are unfit to act as a special or private detective or detectives or to engage in the business of furnishing the same, or has or have violated any of the laws of the State of Illinois or any of the provisions of this or any other ordinance of this city, the mayor shall revoke such license and the money paid for such license in such event shall be forfeited to the city. The mayor upon being so satisfied may, at his discretion, revoke such license, and declare forfeited to the city all money paid for such license, and for the period of one year at least thereafter no new license shall be granted to such applicant or applicants.

**747. License fee.]** Upon compliance with the foregoing provisions of this chapter, each applicant upon the payment in advance to the city collector of one hundred dollars, shall receive a license signed by the mayor and attested by the city clerk, which shall authorize the person or corporation therein named to act as a special or private detective, and to engage in the business of furnishing or supplying special or private detectives, for and during the term of such license.

**748. License may be issued at any time—not transferable.]** Li-

censes may be issued at any time during the license year upon compliance with all the provisions of this chapter and the payment of the full fees herein prescribed. No license granted under this chapter shall be transferable.

**749. Record of employes—may be inspected by superintendent of police.]** Every applicant obtaining a license under the provisions of this chapter shall keep a book or books containing the full name, place of residence, address, complete and accurate description and history or record of each person employed, regularly or occasionally, as a private or special detective within the city. Each employe shall also be designated upon such book or books by a separate number.

Every person, or corporation licensed under this chapter shall, upon the request of the superintendent of police, or of any person designated by him, exhibit such book or books herein required to be kept for the inspection of the superintendent of police, or any person designated by him. A failure or refusal to comply with such request shall constitute cause for the revocation of his or its license by the mayor, and the imposition of the other penalties provided herein for a violation of any of the provisions of this chapter.

**750. Identification cards for employes.]** Every applicant obtaining a license under the provisions of this chapter shall furnish every person in the employ of such applicant, while on duty, with an identification card containing the name of the applicant and the name and complete description of the employe, together with the number by which he is designated upon the book or books of his employer, in accordance with section 749 hereof.

**751. License and identification card to be carried by detectives.]** It shall be unlawful for any person to act as a private detective for hire within the city unless he carries a license or identification card upon his person while so acting; and it shall be unlawful for any person to refuse to exhibit his license or identification card upon the demand of any regular police officer of the city.

**752. Unlawful to act as detective without license—policemen and watchmen exempted.]** It shall be unlawful for any person to act as, or hold himself out as a special or private detective for hire, within the city, or for any person or corporation to solicit, engage in, or to hold out himself, or itself as being engaged in the business of furnishing or supplying special or private detectives within the city, without the license required by this chapter, unless such person or corporation is licensed under this chapter or is regularly employed by a duly licensed special or private detective, and named and described in the book or books required hereby, as hereinbefore provided. Provided, however, that this chapter shall not apply to special or private policemen or watchmen, or other persons engaged

only in the business of doing police duty, and not in the detective or secret service business.

753. Penalty.] Any person or corporation violating any of the provisions of this chapter shall be fined not less than twenty-five nor more than two hundred dollars for each offense.

## CHAPTER XVIII.

### DOGS.

**754. License—fee.]** Every person who owns or keeps a dog within the limits of the city shall report to the city clerk annually, within thirty days after the first day of May in each year, his name and address and shall give the name, breed, color, and sex of each and every dog owned or kept by such person and shall pay to the city collector the sum of two dollars for each and every dog so owned or kept, and shall cause such dog or dogs to be registered for license in the office of the city clerk. Upon payment of such fee the city clerk shall furnish to the person paying same a license tag and a memorandum of registry for each dog for which the fee as herein provided has been paid.

**755. Collar—tag—registration.]** Every dog kept within the city shall be provided by its owner or keeper with a collar, made of leather, metal, or other substantial material, to which a license tag shall be securely fastened. No dog shall be permitted to be kept or to remain within the city unless the owner or keeper thereof shall have caused such dog to be registered or licensed and provided with a collar and tag as herein required.

**756. Book of registry—tags.]** The city clerk shall keep a complete registry, in a book to be kept for that purpose, of all licensed dogs, describing same by name, breed, color and sex, and shall also enter the name and address of the owner or keeper as given, and the number of city license tag.

He shall provide, each and every year, such number of metallic tags as may be necessary (the shape to be changed each year), having stamped thereon the year for which the tax is paid, the letters C. D. T., and also the number of the tag, and it shall be the duty of the city clerk to deliver one of such metallic tags, numbered to correspond with the number of the registry of the dog, to the person having paid the tax upon any such dog.

**757. Muzzling—penalty.]** No person shall cause or permit any dog owned or kept by him to run at large on any street, alley, or other public place within the city, at any time, unless such dog shall be securely muzzled so as to effectually prevent it from biting any person or animal.

Any person being the owner or keeper of a dog who shall suffer such dog to run at large at any time in violation of the provisions of

this section shall be fined not less than two dollars nor more than ten dollars for each offense. Every day on which such person shall suffer any dog owned or kept by him to run at large without a muzzle, after the first conviction under this section, shall constitute a separate and distinct offense.

Nothing herein contained shall be held to require the muzzling of any dog while on private premises or while on any street, alley, or other public place if such dog shall be led by a chain or in leash, in such manner as to prevent such dog from biting any person or animal.

**758. Penalty.]** Any person owning or keeping a dog within the city who shall permit such dog to be kept or to remain within the city without being muzzled or licensed in accordance with the provisions of this chapter or without being provided with a collar and tag as hereinabove required, shall be fined five dollars for each dog owned or kept by him in violation of the provisions of this chapter relating to license, or the providing of collar and tag; and each and every day which shall elapse after the first conviction for a violation of any of the provisions of this chapter relating to license, or the providing of collar and tag, on which such dog shall remain unprovided with a collar, license tag, or either of them, shall constitute a separate and distinct offense.

**759. Impounding.]** It shall be the duty of such employes of the department of police as shall be designated for that purpose by the superintendent of police to take up and impound in such of the city pounds as may be designated and set apart for that purpose any dog found running at large in the city contrary to any of the provisions of the ordinances of the city.

**760. Registry—notice to owner.]** The city pound master or person in charge of the pound to which dogs taken up in accordance with the provisions of the preceding section are taken shall immediately upon receiving any dog at such pound make a complete registry, entering the breed, color, and sex of such dog, and whether licensed or not, if known; and if licensed he shall enter the name and address of the owner or keeper and the number of the license tag, if known, and he shall keep licensed dogs separated from unlicensed dogs. When any licensed dog shall be impounded, notice shall be forthwith given by the pound master or person in charge of such pound to the city clerk of such fact, and the city clerk shall forthwith give notice by mail to the owner or keeper of such licensed dog, informing such owner or keeper of the impounding of his dog.

**761. Redemption of unlicensed dogs—fee.]** For every dog taken up and impounded as provided in this chapter, for which no license fee has been paid, there shall be paid to the pound master for the use of the city by any person desiring to redeem such dog, the follow-



ing fees: a redemption fee of three dollars; the amount of the license fee for the current license year, and the sum of fifty cents as a fee for the taking up or impounding of such dog; which said fees shall be paid in addition to the cost of keeping such dog while in the pound at the rate of not to exceed twenty-five cents per day or fraction thereof. If such amounts be paid by any person desiring to redeem such dog so impounded within five days after the impounding thereof such person shall be entitled to redeem such dog. If such dog be not redeemed within five days after being impounded such dog shall be destroyed by the pound keeper.

**762. Redemption of licensed dogs—fee.]** When any licensed dog shall be taken up or impounded, the fees to be charged upon the redemption of such dog shall be the same as prescribed by section 761 with the exception of the license fee. If such dog shall not be redeemed by the owner or keeper thereof within five days after taking up or impounding, the pound master or person in charge of the pound shall immediately advertise in the official newspaper of the city a description of such dog, giving the license number and the name of the owner or keeper of such dog, if known, together with a notice that if such dog be not redeemed within five days from the date of such advertisement such dog may be redeemed by any person paying the fees and charges herein fixed, or in default of such redemption such dog shall be destroyed. If at the expiration of five days from the publication of such notice such dog shall not be redeemed by the owner or keeper thereof or by any other person the pound master or person in charge of the pound in which such dog is confined shall destroy such dog.

**763. Lost tag—muzzle or collar—penalty.]** Any dog for which the license fee for the current year has been paid, which may during such year be impounded or taken up for being at large without a collar and tag or without a muzzle, and for which satisfactory proof shall be given to the city clerk by affidavit of the owner or keeper thereof or by other sufficient testimony that such dog was so licensed and that a collar was put around its neck with a license tag attached thereto, as provided in this chapter, and that such dog was muzzled, and that such collar and tag, or muzzle, or either of them, has been lost or taken from such dog, may be redeemed by the owner or keeper of such dog upon payment to the pound keeper or person in charge of the pound in which such dog is impounded, of a fee of fifty cents for the taking up of such dog and the cost of keeping such dog while impounded, at the rate of not to exceed twenty-five cents per day or fraction thereof; and upon any such dog being so redeemed the city clerk shall deliver to the owner or keeper thereof, upon demand, a duplicate license tag to correspond with the license tag originally issued, upon payment to the city clerk by such owner or keeper of a fee of twenty-five cents for such tag.

**764. Fierce dogs at large—penalty.]** If any dangerous, fierce, or vicious dog shall be found at large in the streets or public ways of the city or upon the private premises of any other person than the owner or keeper of such dog, and shall there annoy or endanger any person, the owner or keeper of such dog shall be fined not less than two dollars nor more than ten dollars for the first offense on the part of such owner or keeper in permitting such dangerous, fierce, or vicious dog to be so at large; and upon a second or further conviction for a further or similar offense such owner or keeper shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

**765. Fierce dogs — impounding — removing.]** Any dangerous, fierce or vicious dog running at large in the streets or public places of the city, or upon private premises of any other person than the owner or keeper, and any dog which may in any manner disturb the quiet of any person or neighborhood, or which shall bite a person, within the city, is hereby declared to be a nuisance, and such dog shall be taken up and impounded in the manner provided by the ordinances of the city: Provided, however, that if any dangerous, fierce or vicious dog so found at large cannot safely be taken up and impounded, such dog may be slain by any policeman.

**766. Trial—judgment—execution.]** Whenever complaint shall be filed with any justice of the peace or police magistrate, setting forth that any dog has in any manner disturbed the quiet of any person or neighborhood, or has bitten any person, within the city, the justice of the peace or police magistrate shall issue a summons against such owner or keeper, which summons shall be served and made returnable at the same time and in the same manner as other summonses issued by justices of the peace.

At the time and place set for trial the justice of the peace or police magistrate shall proceed to hear and determine the matter, and if it shall appear that such dog has so disturbed any person or neighborhood, or has bitten any person, the justice of the peace or police magistrate shall order the owner or keeper to kill such dog within twenty-four hours from the time of making such order, and continue the further hearing of the case.

In case the owner or keeper of such dog shall refuse or neglect to kill the dog, in compliance with the order of the justice or police magistrate, such owner or keeper shall be fined not less than five nor more than fifty dollars.

It shall be the duty of any police officer to kill any such dog whenever the same shall be found at large in the city at any time after such owner or keeper has refused or neglected to comply with the order herein provided for.

**767. Definition.]** The word “dog,” whenever used in this chapter, shall include a female as well as a male dog.

## CHAPTER XIX.

### DRAINS AND SEWERS.

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#### ARTICLE I.

##### DRAIN LAYERS.

**768. License required—qualifications.]** No person shall be permitted to conduct, carry on, or engage in the business of drain layer unless he shall have first obtained a license for that purpose in the manner hereinafter set forth. Any person desiring a license as a drain layer shall make application to the commissioner of public works, setting out therein the name, residence, and place of business of such applicant. The commissioner of public works upon receipt of such application shall ascertain or cause to be ascertained whether such applicant is in possession of the necessary mechanical skill to enable him to conduct, carry on, or engage in the business of drain layer and is a responsible person fit to be licensed to conduct such business; and if he shall be so satisfied said commissioner shall upon the payment by such applicant to the city collector of a license fee of five dollars, issue or cause to be issued, to such applicant a license authorizing such applicant to conduct, carry on, or engage in the business of drain layer for and during the period of such license, which shall expire on the thirtieth day of April next following the issuance thereof. No drain layer's license shall be issued to any person for a less fee than five dollars, regardless of the time or period of the license year in which such application is made and license issued.

**769. Bond.]** Before delivery of any license hereinabove provided for to any applicant therefor such applicant shall execute to the city a good and sufficient bond in the sum of ten thousand dollars with sureties to be approved by the commissioner of public works, conditioned for the faithful observance and performance of all the ordinances of the city then in force or which may thereafter be in force concerning or regulating the business of drain laying and any rule or regulation of the department of public works governing or regulating drain laying, and conditioned further to indemnify, save, and keep harmless the city of Chicago from any loss, cost, damages, expense, or liability of any kind whatsoever which it, said

city, may suffer or which may accrue against, be charged to or recovered from said city from or by reason of any act or thing done by the person so licensed or by any negligence in the execution or completion of any work done by such drain layer or by or on account of any improper work done under and by virtue of the authority of the license so issued.

**770. Work on drains inside building line—outside building line—by whom supervised.]** All work done by licensed drain layers on drains or pipes inside any building or structure and all work done on any catchbasin, cesspool, or sink located on or in any private premises, shall be done under the supervision and to the satisfaction and approval of the commissioner of health; and no such work shall be done except on a permit in writing issued by said commissioner.

All work done by licensed drain layers on drains or pipes outside any building or structure or upon any street, alley, or public way, shall be done under the supervision and to the satisfaction and approval of the commissioner of public works; and no such work shall be done except on a permit in writing issued by said commissioner.

**771. Inspection of work.]** All work done by licensed drain layers, other than work done on local improvements paid for wholly or in part by special assessment, while such work is under the supervision and control of the board of local improvements, shall be subject to the inspection, supervision, and approval of the commissioner of public works; and any faulty or defective work done by any licensed drain layer which may at any time be discovered by him shall be made satisfactory to said commissioner.

Any licensed drain layer who shall neglect, refuse, or fail to make good any defects or faults in his work, which shall be discovered by said commissioner, shall not be permitted to do any further or additional work until the defects or faults so discovered have been made good in a manner satisfactory to the commissioner of public works; and any licensed drain layer who shall refuse, neglect, or fail to make good such defects or faults when requested so to do by said commissioner or who shall otherwise violate or fail to comply with any of the provisions of this article or any rule or regulation of the department of public works governing or regulating the business of drain laying, shall have his license revoked by said commissioner and shall not again be permitted to conduct, carry on, or engage in the business of drain laying until satisfactory assurance shall be given to the commissioner of public works that such person will thereafter faithfully observe the ordinances of the city and the rules and regulations of the department of public works and until such drain layer shall have made good any loss, damage, or expense caused by or on account of any negligence or misconduct on his part which was the cause of the revocation of his license.

**772. License fee to be paid annually.]** Any person licensed as a drain layer shall be entitled to have his license renewed without filing application, upon payment by him of the license fee of five dollars and the renewal of the bond hereinabove provided for.

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## ARTICLE II.

### MISCELLANEOUS PROVISIONS.

**773. Steam—discharge in sewer prohibited.]** No person shall make or use or cause to be made or used any connection with or opening into any sewer or drain for the conveyance or discharge into such sewer or drain, of steam from any steam-boiler or engine, or from any manufactory or building in which steam is either generated or used, under a penalty of fifty dollars for each and every day during any part of which such connection or opening may have been used for that purpose.

**774. Obstructing sewer—penalty.]** No butchers' offal or garbage, dead animals or obstructions of any kind whatsoever, shall be placed, thrown or deposited, in any receiving basin or sewer, and any person so offending or causing any such obstruction or substance to be placed so as to be carried into such basin or sewer shall be subject to a penalty of ten dollars for each offense; and any person injuring, breaking or removing any portion of any receiving-basin, covering-flag, manhole, vent or any part of any sewer or drain, or obstructing the mouth of any sewer or drain, shall be subject to a penalty of twenty dollars for each offense; nor shall any quantity of marble or other stone, iron, lead, timber or any other substance, exceeding one ton in weight, be placed or deposited upon any wharf or bulkhead through which any sewer or drain may run; nor upon or over any sewer or drain where the same shall be within three feet of the surface of the street, under a penalty of not more than fifty dollars for each offense, to be recovered of the person or persons causing or permitting the same.

**775. Excavation around sewer—permit.]** Any person who shall uncover or excavate under or around any public sewer in this city, for any purpose whatever, without the written consent of said commissioner of public works shall be fined not less than ten dollars and not more than fifty dollars for each offense.

**776. Alteration of house drain.]** Any person who shall lay, alter or disturb any part of a house drain or drains, catch-basin or strainer of such drain or drains; cesspool or water-closet, connecting with any public sewer belonging to said city, without being duly licensed to

perform the same by said commissioner, shall be fined not less than ten dollars and not more than fifty dollars, for each offense.

**777. Drain construction.]** It shall be the duty of any person constructing or using any private drain, sewer, cess-pool, water-closet pipe or other pipe connecting with or emptying into any public drain or sewer belonging to said city, to construct and use the same strictly in conformity with the orders and directions of the commissioner of public works and the commissioner of health, or either of them, and any person who shall construct or use, or cause to be constructed or used, any such drain, sewer, cess-pool or water-closet pipe in a different manner from that so ordered and directed by either of said commissioners, shall be fined not exceeding fifty dollars for each offense.

**778. Inspection—right of entry.]** That the public drains and sewers of the city may be fully protected against improper use and injury, the commissioner of public works and his authorized agents shall have free and unobstructed access to any part of any premises where house drains, cess-pools or water-closets, connected with or draining into such drains or sewers, are laid, for the purpose of examining the construction, condition and usage of the same, and making necessary alterations or repairs, at any time of the day between the hours of seven o'clock a. m. and six o'clock p. m.; and any owner, occupant or other person, refusing to allow any officer or agent of said commissioner access to the premises for such purposes, shall be fined not less than five dollars nor exceeding fifty dollars for each offense.

## CHAPTER XX.

### DRUGGISTS.

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#### ARTICLE I.

##### SALES OF LIQUOR.

**779. License to sell liquor.]** No person or corporation engaged in the business of selling drugs, or keeping what is commonly known as a drug store, shall sell or give away, or in any manner deal in any vinous, spirituous, ardent, intoxicating, or fermented liquors, by himself, agent or servant without a license for that purpose, under a penalty of not less than one hundred dollars, nor more than two hundred dollars, for each offense.

**780. Fee for license—application.]** Every person, or corporation engaged in the business of selling drugs, or keeping what is commonly known as a drug store, desiring to sell, or give away, or in any manner deal in any vinous, spirituous, ardent, intoxicating or fermented liquors, including alcohol, for medicinal, mechanical, sacramental, or chemical purposes only, not to be drunk upon the premises, or in any such store, may have a license therefor upon paying to the city collector the sum of five dollars. Application for such license shall be made to the mayor in writing, stating the name of the applicant and the location of the place of business for which such license is desired.

**781. Record of sales—inspection.]** Any person or corporation obtaining such permit, shall enter in a well-bound book a record of the date of the sale or gift of any vinous, spirituous, ardent, intoxicating or fermented liquors, the amount sold or given away, and the person to whom delivered, which said book shall be at all reasonable hours open to the inspection of any member of the police force whom the superintendent of police may designate for such purpose.

**782. Penalty.]** Any person or corporation violating any of the provisions of this article or neglecting or refusing to comply therewith, shall be fined not less than one hundred dollars, nor more than two hundred dollars, for each offense.

## ARTICLE II.

## SALE OF CARBOLIC ACID REGULATED.

**783. Carbolio acid to be sold only on prescription.]** It shall be unlawful for any apothecary, druggist or pharmacist, or any employe thereof, or any other person whatever, to sell, barter, exchange, give away, dispose of or deliver to any person within the city, any carbolio acid or any extract or product thereof, or any preparation or compound of which it is an element or ingredient, containing more than five per cent of carbolio acid, except upon the written prescription or order of a duly licensed physician, as provided in this article, and except upon the day or date of such prescription or order, and there shall be for each such sale, barter, exchange, gift, disposition or delivery, a special and distinct order or prescription in each and every instance.

**784. Contents of prescription—signed by physician.]** The prescription or order shall have the date thereon of the day on which it is made and be signed by the physician making it, who shall be a graduate in medicine, and as such, have a diploma from a legally constituted or chartered medical college or medical institution, and it shall contain the name and residence of the patient for whom it is intended, and the number and street or place of the physician's office or residence.

**785. Prescriptions to be open to inspection of officials—kept for three years.]** All such prescriptions and orders shall be open for inspection by the coroner, state's attorney, assistant state's attorney, city prosecutor, assistant city prosecutor, chief of police, or any regular police officer of this city. All such prescriptions and orders shall be kept and preserved for three years after receiving same. It shall be unlawful for any person to refuse or prevent in any manner, or by any means, the inspection of such prescriptions or such orders, or any thereof, by any of said officers, or for any of the persons mentioned in the preceding section to fail or neglect to keep or preserve such prescriptions or orders, or any of them, as provided herein.

**786. Fraudulent prescriptions forbidden.]** It shall be unlawful for any person to present any false or forged or untrue or fictitious prescription or order for any carbolio acid, or any extract or product thereof, or any preparation or compound of which it is an element or ingredient, or to obtain the same by means thereof, or to give any false or fictitious name or to give or make any false statement, or any false representation to obtain or in obtaining the same.

**787. False statements and improper prescriptions by physicians forbidden.]** It shall be unlawful for any physician to put a wrong



or false date on any order or prescription for any carbolic acid, or any extract or product thereof, or any preparation or compound of which it is an element or ingredient, or to wilfully give any such order or prescription containing any false statement or representation of any fact or matter therein, or to give any such order or prescription for a dose or quantity greater than usual or necessary for bona fide purposes to cure or prevent sickness or disease.

**788. Crude carbolic acid mixtures and wholesale sales excepted.]**

The foregoing sections shall not apply to the sale of crude carbolic acid in quantities exceeding one gallon, or to the sale of a solution or mixture containing equal portions of carbolic acid, glycerine and alcohol, nor to the commerce or the trade to or between wholesale druggists and retail druggists, apothecaries, or pharmacists, or sales or gifts to public institutions, charitable institutions or hospitals for medical use therein.

**789. Penalty.]** Any person violating any of the provisions of this article shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

## CHAPTER XXI.

### ELECTION CONTESTS.

**790. Alderman—contest of election.]** The election of any alderman may be contested by any elector of the city, and the proceedings shall be in accordance with the general laws of this state regulating the mode of contesting the elections of county officers, so far as the same may be applicable.

**791. City council to hear contest.]** The city council shall be the tribunal before which such contest shall be heard, and its decision shall be final.

**792. Verified statement of points.]** When any elector shall desire to contest the right of another to hold the office of alderman, he shall, within sixty days after the election, file with the city clerk a statement in writing, briefly setting forth the points on which he will contest the election, which statement shall be verified by affidavit.

**793. Notice to respondent.]** Upon filing such statement said contestant shall also serve a copy thereof upon the person whose election he intends to contest, and in case he is absent from the city, or cannot be found, then by leaving a copy of such statement at the respondent's usual place of residence.

**794. Testimony, when and how taken.]** Whenever such statement shall have been filed and served as aforesaid, it shall be the duty of the city council, upon the application of either party, to fix the time and place for taking the depositions of witnesses; when either party may proceed to take the testimony of any witness, in the manner and as provided for taking depositions to be used in cases in chancery, before any judge, master in chancery, justice of the peace, or notary public, at the time and place so fixed, and continue the same from day to day thereafter until all the testimony shall have been taken.

**795. Proofs taken and filed.]** In all cases of contested elections, the proofs shall be taken and filed with the city clerk as hereinafter provided, within sixty days from the day fixed by the city council for taking the same: Provided, that the council may, from time to time, upon sufficient cause shown, extend the time for taking and filing such proofs.

**796. Testimony limited.]** No testimony shall be taken or produced on the hearing before the city council, except upon the points set forth in the statement required to be filed with the city clerk and served upon the respondent.

**797. Proceedings in council.]** When all the evidence shall have been taken, the same shall be filed forthwith with the city clerk, who shall immediately lay it before the city council, and the council shall, without delay, refer such evidence to some appropriate committee to investigate and report upon; and upon such report being made, the council shall decide according to the right of the matter, and shall declare as elected the person who shall appear by the evidence to have been elected. The council may require all the testimony and proofs taken to be read in open council.

**798. Legal disqualification.]** Whenever it shall appear in any case that the person receiving the highest number of votes is ineligible to the office because of any legal disqualification, it shall, for that reason, be the duty of the city council to declare such election null and void, and immediately call a special election to fill said office.

**799. Counting ballots.]** In all cases of contested election the parties shall have the right to have the package or packages of ballots which have been returned to the proper clerk or to the board of election commissioners, as required by law, opened in open session of the city council and in the presence of the officer having the custody thereof, and to have such ballots then and there counted by a committee of three persons appointed for that purpose.

## CHAPTER XXII.

### ELECTRICITY.

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#### ARTICLE I.

##### DEPARTMENT OF ELECTRICITY.

**800. Department established.]** There is hereby established an executive department of the municipal government of the city, which shall be known as the department of electricity, and which shall include a city electrician, an assistant city electrician, a superintendent of construction, a secretary, one chief inspector and such other assistants and employes as the city council may by ordinance provide.

**801. City electrician—office created—appointment.]** There is hereby created the office of city electrician. He shall be appointed by the mayor by and with the advice and consent of the city council. He shall be the head of said department of electricity, and shall be a practical and skilled electrician, and shall not be engaged in any other business while acting in such capacity.

**802. Bond—approval of.]** Said city electrician, before entering upon the duties of his office, shall execute a bond to the city, in the sum of twenty thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**803. Powers—co-operation with fire marshal and superintendent of police—subordinate officers.]** He shall have the management of the fire alarm telegraph and police telephone systems, of municipal lighting, of the inspection of all electric wiring within the city, both inside of buildings and above, beneath and upon the surface of the streets, and of all electrical matters in which the city is interested, and shall appoint, in accordance with law, all subordinate officers and assistants in his department.

Provided that the fire marshal shall have control of all fire alarm operators, and all matters pertaining to the actual operation of the fire alarm telegraph and the location of call boxes.

All those operators, including the present chief of construction of the fire alarm telegraph, who at present are or who may hereafter be

members of the fire department, shall be detailed for duty by the fire marshal to the city electrician, and this article shall in no way be construed as separating them from said fire department.

And, provided also, that in all matters pertaining to the operation of the electrical service of the police department, the said city electrician shall consult with the superintendent of police, and in case of a disagreement in any of said matters between said city electrician and said superintendent of police, the mayor is hereby given the power to decide such matters of difference.

All subordinate officers, assistants, clerks and employes in said department shall be subject to such rules and regulations as shall be prescribed from time to time by said city electrician.

**804. Assistant city electrician—qualifications—duty.]** The assistant city electrician shall be a practical and skilled electrician, and shall act as city electrician in case of the absence of the city electrician from his office, and while so acting shall discharge all the duties and possess all the powers invested in and imposed upon the city electrician.

**805. Superintendent of construction—powers—duty.]** The superintendent of construction shall put in new circuits and install all new work of the city under the direction of the city electrician.

**806. Record—annual report.]** It shall be the duty of the said city electrician to keep records containing a full and accurate account of all inspections made; he shall annually, on or before the first day of February in each year, prepare and present to the city council a report showing the receipts and expenditures and entire work of his department during the previous fiscal year; and he shall at the same time send to the comptroller a full and comprehensive statement of all matters pertaining to his department, together with an estimate in detail of the appropriations required by his department during the next fiscal year.

**807. Electric current.]** No electric current shall be used for lighting, heating or power purposes except as hereinafter provided.

**808. Application—contents—permits.]** All persons, or corporations desiring to install wires or other apparatus for the use of electric currents for any of the purposes mentioned in the foregoing section, shall before commencing or doing any electrical construction work of any kind whatever, either installing new electrical apparatus or repairing apparatus already in use, file an application for a permit therefor in the office of the city electrician, which application shall describe in detail such material and apparatus as it is desired to use, with a full description of the same, giving the locality by street and number; and upon receipt of which application, if found proper, such permit shall be given.

**809. Duties of city electrician thereon.]** The said city electrician

shall have power, and it shall be his duty, when by him deemed necessary, to carefully inspect any such installation previous to and after its completion, and it shall be competent for him to remove any existing obstructions which may prevent a perfect inspection of the current carrying conductors, such as laths, plastering, boarding or partitions; and if such installation shall prove to have been constructed in accordance with the rules and regulations of the department of electricity controlling the use of electric current, upon the payment of a fee, as herein provided, he shall issue a certificate of such inspection, which shall contain a general description of the installation and the date of such inspection. Any owner installing or causing to be installed any electric wires to be hidden from view shall, prior to such installation, give said city electrician a reasonable notice in order to give ample time for inspection. The use of electric current is hereby declared to be unlawful previous to the issuance of such certificate; Provided, however, the city electrician may issue a temporary permit for the use of electrical current during the course of construction or alteration of buildings, which permit shall expire when the electrical apparatus for such building is fully installed.

**810. Preliminary and final certificate.]** A preliminary certificate may be issued by said city electrician, in the case of completed installations, but upon which no current shall be used in the immediate future. Such preliminary certificate shall show that at the date of inspection the installation was erected in accordance with the terms of this chapter, and shall be issued at one-half the rates hereinafter named. Prior to the introduction of electric current into the said premises a second inspection shall be made, when, if the said installation is still in accordance with the terms of this chapter, a complete and final certificate shall issue, and the amount of the fee paid for the preliminary certificate shall be deducted from the fee for the final certificate.

**811. Power of city electrician—inspections and re-inspections.]** The said city electrician is hereby empowered to inspect or re-inspect all overhead, underground and interior wires, and apparatus conducting electric current for light, heat, or power, and when said conductors or apparatus are found to be unsafe to life or property, he shall notify the person or corporation owning, using or operating them to place the same in a safe and secure condition within forty-eight hours. Any person or corporation failing or refusing to repair, change, or remove the same within forty-eight hours or within such further time as the city electrician shall determine is necessary, after the receipt of such notice, shall be subject to the penalty hereinafter provided.

**812. Poles—covers—wires—electric service entrances—switches.]** All poles now standing or hereafter erected and all covers for man-

holes now in service, or hereafter placed in service for the use of electric conductors, shall be branded or stamped with the name of the person or corporation owning the same; all electric service entrances shall have attached to the conductor or conductors, in a conspicuous place, a substantial tag designating the owner, and giving such a full description of the conductors as shall meet with the approval of said city electrician; and all of said electric service entrances shall be properly equipped with approved cut-out service switches. Each building into which electric current shall hereafter be introduced shall have independent service from the street or alley, entering at right angles with the street curb, except where the service wires are placed in conduits complying with the rules of the department of electricity; and no wires hereafter put up shall pass from one building to another through any party wall or along any building wall or over any roof or under any sidewalk, except where such conduits are used. No electric current shall be supplied from any trolley line for any purpose whatever to any building except for lighting the power stations from which current is supplied to such trolley lines.

813. **Fees.]** There shall be collected by the city collector, prior to the issuance of certificates permitting the use of electric current, the following fees, in the following manner:

For the inspection of each of the first two arc lamps, one dollar; for each of the next three arc lamps, eighty cents; for each of the next five arc lamps, seventy cents; for each of the next ten arc lamps, sixty cents; for each of the next ten arc lamps, fifty cents; for each additional arc lamps above thirty, twenty-five cents.

Incandescent lamps of nominal sixteen candle power, and for larger or smaller lamps in that proportion, as follows:

For each of the first twenty-five incandescent lamps ten cents; for each of the next twenty-five lamps, nine cents; for each of the next twenty-five lamps, eight cents; for each of the next twenty-five lamps, seven cents; for each of the next one hundred lamps, six cents; for each of the next one hundred lamps, five cents; for each additional lamps above three hundred, four cents.

For each electrical horse power of 746 Watts, used for mechanical or other purposes than above mentioned, the sum of one dollar for each horse-power from one to five horse-power, inclusive.

For each of the next succeeding five horse-power, seventy-five cents; for each of the next succeeding five horse-power, sixty-five cents; for each of the next succeeding ten horse-power, fifty-five cents; for each of the next succeeding twenty-five horse power, fifty cents; for each additional horse-power, twenty-five cents. No inspection shall be made for a less amount than one dollar.

Inspections of temporary installations for show-window exhibi-

tions, conventions and the like shall be charged for by the time required for such inspections at the rate of fifty cents per hour.

Each reinspection of any overhead, underground or interior wires or apparatus shall be charged for by the time required for such reinspection at the rate of fifty cents per hour.

Immediately after the inspection provided for in section 809, the city electrician shall make a fee bill, in duplicate, on a form to be approved by the city comptroller, and shall forward the same to the comptroller to be recorded and rendered. The person, or corporation receiving the fee bill, shall pay the amount thereof, to the city collector, who shall endorse payment thereon, and enter the fee bill and payment in a book in his office, to be provided for that purpose, and thereupon the city collector shall deliver the paid fee bill to the person, or corporation paying the same. The paid fee bill shall then be presented to the city electrician at his office, who shall thereupon issue the preliminary of final certificate, provided for in section 810.

**814. Alterations.]** No alterations shall be made in any electrical installation without first notifying the said city electrician and submitting the same for inspection in the same manner as provided for new work.

**815. Penalty.]** Any person or corporation furnishing or using any electric current within the city, in violation of any of the provisions of this chapter, or contrary to any of the rules and regulations of the department of electricity, shall be fined not less than fifty dollars nor more than one hundred dollars for each offense, and each day's use thereof contrary to the provisions of this chapter shall constitute and be a separate and distinct offense. Said city electrician may, for any violation of the provisions of this chapter, also order and compel the cutting off and stopping of such current until the provisions of this chapter are fully complied with.

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## ARTICLE II.

### MISCELLANEOUS PROVISIONS.

**816. Electric lighting facilities—indemnity.]** The city electrician is authorized to execute and deliver in the name of the city of Chicago to any person or corporation affording facilities for any of the city's electric lighting property, contracts of indemnity to hold such person or corporation harmless from all injuries, damages or expense to any persons or property arising in any way out of the city's exercise of such facilities, when such facilities are not afforded under the requirements of ordinances held by them.

**817. Fire and police stations—locations designated.]** The loca



tion of all fire stations shall be designated by the erection of an electric light with a red globe, and the location of all police stations shall be designated by the erection of an electric light with a blue globe, such lights to be erected in a prominent position in front of each of such stations.

It shall be the duty of the city electrician to carry out and provide for the execution of the provisions of this section.

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### ARTICLE III.

#### LAMPS.

**818. City electrician in control.]** The city electrician shall have charge and control of and shall erect all lamp posts and lamps, and street-signs designating the names of the streets which shall be placed on said lamps.

**819. Post-office boxes.]** The post-office department, under the direction of the city electrician, is hereby granted permission to attach and fasten post-office boxes to the public lamp posts in this city; and any person who shall deface or in any way injure any such post-office box shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

**820. Penalty for extinguishing light.]** No person, unless authorized by the proper authority, shall at any time light or extinguish or cause to be lighted or extinguished any public lamp, under a penalty of not more than ten dollars for each offense; and any and every contractor shall be liable to a like fine of not more than ten dollars for wilfully neglecting to light any lamp which he has contracted to light.

**821. Injury to lamp—street sign.]** Any person breaking, mutilating or obstructing any of the public lamps in the city, or any street-signs attached thereto, shall be fined not more than ten dollars for each offense.

**822. Removal of lamp posts.]** No person, without permission of the city electrician, shall take up, remove or carry away any public lamp post in the city, under a penalty of not more than fifty dollars for each offense.

**823. Hitching to lamp post.]** Any person who shall carelessly or maliciously break, deface or in any way injure or destroy any public lamp or lamp post in this city, or climb upon, or hitch any horse or other animal to any public lamp post, or hang or place any goods or merchandise thereon, or place any goods, boxes, wood or any other heavy material upon or against the same, shall be fined not more than ten dollars for each offense.

## CHAPTER XXIII.

### FIRE DEPARTMENT.

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#### ARTICLE I.

##### FIRE MARSHAL.

**824. Department established.]** There is hereby established an executive department of the municipal government of the city, which shall be known as the fire department and shall include one fire marshal, one first assistant fire marshal, a secretary of the fire department, one veterinary surgeon, and such number of assistant fire marshals, captains, lieutenants, engineers, pipemen, drivers, truckmen, telegraph operators, assistants, clerks and employes, as the city council may by ordinance provide.

**825. Fire marshal—office created—appointment.]** There is hereby created the office of fire marshal. He shall be the head of the fire department, and shall have the management and control of all matters and things pertaining thereto. He shall not perform active fire duty except when in his opinion his presence at fires is necessary. He shall be appointed by the mayor by and with the advice and consent of the city council.

**826. Bond.]** Said fire marshal, before entering upon the duties of his office, shall execute a bond to the city, in the sum of twenty-five thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**827. Subordinates—appointment.]** He shall appoint all officers and members of said department, according to law, and may remove them according to law.

**828. Subordinates—regulations.]** All subordinate officers, assistants, clerks and employes who shall be employed in said fire department, shall be subject to such rules and regulations, and shall perform such duties as shall be prescribed or required of them by said fire marshal, or the ordinances of the city.

**829. Bonds of subordinates.]** Said fire marshal shall require good and sufficient bonds to be given by all assistants, clerks and employes in his office who shall have the care or custody of any property belonging to the city. Such bonds shall run to the city and be approved by the fire marshal.

**830. Control of department.]** The fire marshal shall have sole and absolute control and command over all persons connected with the fire department of the city, and shall possess full power and authority over its organization, government and discipline, and, to that end, he may prescribe and establish, from time to time, such rules and regulations as he may deem advisable.

**831. Custody of apparatus.]** He shall have the custody of the engines, hose carts, trucks, ladders, horses, telegraph lines, and all other property and equipment belonging to the fire department.

**832. Causes of fire—investigation of.]** He shall inquire into, and cause to be investigated by the fire department attorney, the cause of all fires which may occur in the city, as soon as may be after they occur, and cause to be kept a record of such investigation and of the evidence in each case, and cause the same, or a copy thereof, to be filed in his office.

**833. Inspection of apparatus.]** He shall, once in every year, examine into the condition of the fire engines, and other fire apparatus and engine houses, and report the same to the city council on or before the first day of February in each year.

**834. Annual report.]** He shall also, on or before the first day of May in each year, report all accidents by fire that may have taken place in the city during the preceding fiscal year, with the causes thereof, as well as they can be ascertained, and the number of and description of the buildings destroyed and injured.

**835. Repair of apparatus.]** He shall, whenever any of the fire engines, hose carts, trucks and hooks and ladders, or other apparatus, shall require to be repaired, cause the same to be repaired under his direction and supervision.

**836. Uniform—badges.]** The fire marshal shall make suitable regulations, under which the officers and men of the department shall be required to wear some appropriate uniform and badge, by which, in case of fire, and at other times, the authority and relations of such officers and men in said department may be known, as the exigencies of their duties may require.

**837. Merit roll.]** It shall be the duty of the fire marshal to cause a record to be kept, to be known as the "merit roll" upon which shall be entered the names of all the members of the fire department who shall have performed any distinguished act of bravery in the protection of life or property. Such record shall specify the details and circumstances of such acts, and there shall also be given the names of witnesses, if any, and all facts corroborating the circumstances of the report. Such record shall annually, on December 31st of each year, be laid before the mayor, comptroller and city treasurer, *ex-officio* the trustees of the "Harrison" medal fund and the "Tree" medal fund, and upon the awards being made, the members of the

fire department who shall be awarded the "Tree" medal or the "Harrison" medal shall be notified to appear before the trustees to receive the medals awarded them.

**838. Suspension of members.]** During the pending of charges against any member of the department, the fire marshal may suspend from duty any such member until such charges are disposed of.

**839. Record.]** He shall cause to be kept, in books provided for that purpose a full and complete record of all transactions in said department, and of all property placed in his charge, and such other records as shall be required by the business of the department.

**840. Annual estimate.]** He shall prepare and submit to the comptroller, on or before the first day of February in every year, an estimate of the whole cost and expense of providing for and maintaining the fire department of the city during the current fiscal year, which estimate shall be in detail, and shall be laid by said comptroller before the city council, with his annual estimate.

**841. Newspaper reporters—badges.]** The fire marshal shall issue to newspaper reporters, upon the written requests of their city editors, badges which in form and appearance shall be the same as those worn by the members of the fire department.

**842. Register.]** He shall cause to be kept a register of such badges, containing the numbers, names and addresses and such other details as shall be necessary to identify the holders.

**843. Expense of.]** All expenses incident to the issuance of such badges shall be borne by the applicants therefor.

**844. Penalty.]** Any person wearing one of such badges without authority shall be deemed guilty of a misdemeanor and shall be fined not less than ten dollars, nor more than fifty dollars for each offense.

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## ARTICLE II.

### SECRETARY.

**845. Duties.]** It shall be the duty of the secretary of the fire department to preserve and keep all books and papers belonging to said department, or which are required by law to be filed therein. He shall deliver to the city council, and to the respective departments, all written communications from the fire marshal, and shall perform such other services as may be required by the fire marshal or the ordinances of the city.

## ARTICLE III.

## ASSISTANT FIRE MARSHALS.

**846. Duties.]** It shall be the duty of the assistant fire marshals, if in their power, to attend all the fires happening in the city, and in case of the absence of the fire marshal from any fire, it shall be the duty of the first assistant to take charge of the work of the department thereat, and he shall have and exercise all the powers of the fire marshal; and in case of the absence of both the fire marshal and first assistant, the assistant marshals shall have and exercise the duties and powers of fire marshal in the order of their arrival at the fire. In case of vacancy in the office of fire marshal, the first assistant shall discharge the duties of fire marshal until the vacancy shall be filled.

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## ARTICLE IV.

## FIRE DEPARTMENT ATTORNEY.

**847. Fire department attorney—duties—causes of fire.]** It shall be the duty of the fire department attorney, immediately upon the occurrence of a fire, to investigate the cause thereof, and all the circumstances connected therewith; to ascertain, as accurately as may be, the value of the premises destroyed or involved and the amount of insurance carried thereon; to ascertain any carelessness or criminal intent that may have been instrumental in causing any fire; to make a detailed statement of the result of his investigations to the fire marshal, from day to day, or as frequently as may be required by the occurrence of fire or by the orders of the fire marshal.

**848. Power of arrest.]** It shall be the duty of the fire department attorney to cause the arrest of all persons by him suspected of incendiary intent and to take them before any magistrate for criminal prosecution.

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## ARTICLE V.

## GENERAL PROVISIONS.

**849. Disability—salary.]** Any member of the fire department receiving injury or becoming disabled while in the discharge of his

duties and by reason of or as a consequence of the performance of such duties, so as to prevent him from attending to his duties as such member of the fire department, shall for the space of twelve months, provided his disability shall last that time, or for such portion of twelve months as such disability shall continue, receive his usual salary. The fact of such disability and its duration shall be certified to by the city physician or by the production of such other evidence as shall be satisfactory to the fire marshal: Provided, however, that no member of the fire department who is on the pension roll or who is receiving any benefit from the pension fund by reason of any such disability or injury shall be entitled to receive any part of his salary during such time as he shall remain on such pension roll or receive any benefit from such pension fund.

**850. Exclusion of non-employees.]** It shall be the duty of all members of the fire department to prevent all persons not belonging to the department from entering any house, or handling any apparatus belonging to the department without permission.

**851. Copy of rules.]** Every member of the fire department shall be furnished with a copy of the rules and regulations prescribed by the fire marshal for the government of the department.

**852. Badges.]** Every member of the fire department, when on duty, shall wear a suitable badge, furnished by the city, and any member who shall lose or destroy the same shall be required to pay the cost of replacing it; and whenever any member shall leave the department, he shall immediately deliver his badge, and all other property belonging to the city, to the proper officer of said department.

**853. Rewards.]** The fire marshal, for meritorious services rendered by any member of the fire department in the due discharge of his duty, may permit any member of the said department to retain for his own benefit any reward or present tendered him therefor; and it shall be cause of removal for any such member to receive any reward or present, without notice thereof to the fire marshal and without his permission.

**854. Resignation.]** No member of the department, under penalty of forfeiting the salary or pay which may be due to him, shall withdraw or resign, except by permission of the fire marshal.

**855. Furloughs—time fixed.]** Whenever the funds appropriated for the maintenance of the fire department are sufficient to permit a furlough being given with full pay the employes of the fire department shall have a furlough of ten days during each year with full pay, and the fire marshal shall have authority to fix the time when such furlough shall be given in each case.

**856. Cordon around fire.]** The fire marshal, or any assistant fire marshal in command, may prescribe limits in the vicinity of any fire,

within which no persons excepting those who reside therein, firemen and policemen, and those admitted by order of any officer of the fire department, shall be permitted to come.

**857. Removal of property.]** The fire marshal, or any assistant fire marshal in command, shall have power to cause the removal of any property, whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire, or to protect adjoining property.

**858. Destruction of building.]** The fire marshal, or any assistant fire marshal, or other officer in command, may direct the firemen to cut down and remove any building, erection or fence, for the purpose of checking the progress of any fire; and the fire marshal or the assistant fire marshal in command shall have power to blow up, or cause to be blown up, with powder or otherwise, any building or erection, during the progress of a fire, for the purpose of extinguishing or checking the same.

**859. Power of arrest.]** The fire marshal and the assistant fire marshal shall have power, during a fire, and for a period of thirty-six hours after its extinction, to arrest any person suspected of incendiarism, or any person hindering, resisting the firemen or conducting himself in a noisy and disorderly manner, or refusing to obey such officer while acting in the discharge of his duty. Said officers shall be severally vested with the usual powers and authority of police officers to command all persons to assist them in making any necessary arrests.

**860. Hydrant—obstruction.]** No person shall in any manner obstruct the use of any fire hydrant, or place any material in front thereof or within five feet from either side thereof, under a penalty of ten dollars for each offense; and any and all material forming such an obstruction may be forthwith removed by any member of the fire department, and at the risk, cost and expense of the owner or claimant thereof.

**861. Engine house—non-employees excluded.]** No person other than a fireman, policeman or public officer, shall enter or assemble with any other person or persons, in any engine house belonging to the city without the permission of the officer in charge of such engine house, under a penalty of two dollars for each offense.

**862. Personating firemen.]** No person not a member of the fire department, shall personate a fireman or officer of the fire department, under a penalty of not more than ten dollars for each offense.

**863. Non-employees to obey orders.]** Every person who shall be present at a fire shall be subject and obedient to the orders of the fire marshal and the assistant fire marshals, in extinguishing the fire and the removal and protection of property; and in case any person shall refuse to obey such orders, he shall be fined five dollars for each

offense; Provided, that no person not a member of the fire department shall be bound to obey any of said officers, unless said officers shall bear their respective badges of office, or their official character shall be known or made known to him; and said officers shall have power to arrest any person or persons so refusing to obey such lawful orders as aforesaid.

**864. Aid of licensed vehicles.]** It shall be lawful for the fire marshal and the assistant fire marshals to require the aid of any drayman with his horse and dray, or any driver of a licensed wagon with his team and wagon, in drawing or conveying any engine or other fire apparatus to the fire; and on the refusal or neglect of any such person to comply with such requisition, the offender shall be fined not less than five dollars nor more than twenty dollars.

**865. Hindrance to firemen.]** Any person who shall wilfully offer any hindrance to any police officer or fireman in the performance of his duty at a fire, or shall wilfully in any manner injure, deface or destroy any engine or fire apparatus belonging to the city, shall for every such offense be fined not less than fifty dollars nor more than two hundred dollars.

**866. Driving on or over hose.]** No wagon, street railroad car or other vehicle, shall be driven over any unprotected hose of the fire department of the city, when laid down on any street or alley to be used at any fire or alarm of fire, without the consent of the fire marshal or the assistant in command, and any person violating any of the provisions of this section shall be fined not less than five dollars nor more than one hundred dollars for each offense.

**867. Department keys—wrongful possession.]** Should any person wrongfully have in his possession, or without authority make or cause to be made, any key or keys of any fire-engine or truck house, police signal or fire-alarm telegraph box, or use, or cause to be used, the same, he shall be fined not less than fifty dollars nor more than two hundred dollars for each offense.

**868. Property saved.]** No person shall be entitled to take away any property in the possession of the fire department saved from any fire until he shall make satisfactory proof of ownership thereof.

**869. Telegraph poles.]** Any person who shall scratch, stencil or post placards or bills on any of the poles used for the wires of the police and fire-alarm telegraph, or in any other manner deface or injure the same, shall be fined not less than five dollars nor more than twenty dollars for each offense.

**870. Boxes—wrongful opening.]** No person, unless duly authorized shall open any signal box, unless it be to give an alarm of fire or to communicate with the police on necessary business, nor break, cut, injure, deface, derange or in any manner meddle or interfere with any signal box or the fire-alarm or police telegraph wires or with any



municipal electric wires, poles, conduits or apparatus whatever, under a penalty of not less than twenty-five dollars nor more than fifty dollars for each offense.

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## ARTICLE VI.

## HYDRANTS.

**871. Fire hydrants — interference with, or injury to.]** All hydrants erected in the city for the purpose of extinguishing fires are hereby declared to be public hydrants, and no person (other than the members of the fire department of said city, for the uses and purposes of said department, and those specially authorized by the commissioner of public works) shall open any of the said hydrants, or attempt to draw water from the same, or in any manner interfere with or injure any of said hydrants, under a penalty of not less than ten dollars nor more than fifty dollars for each offense.

Any person who shall wilfully or carelessly break or injure any of the public hydrants, or pollute or unnecessarily waste the water at any such hydrant, shall be fined not less than ten dollars nor more than fifty dollars for each offense.

**872. Department wrenches—use prohibited, when.]** Any member of the fire department who shall let out, or suffer or permit any person to take the wrenches furnished to the fire department of said city to be used in case of fire, or permit any of said wrenches furnished said department to be taken from the engine houses of said department, except as they accompany the engines on occasions of fire, or for other purposes connected with the fire department, shall be fined not less than ten dollars nor more than fifty dollars for each offense.

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## ARTICLE VII.

## MISCELLANEOUS PROVISIONS.

**873. False alarm.]** Whoever, without reasonable cause, by outcry or otherwise makes or circulates, or causes to be made or circulated any false alarm of fire, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

**874. Bonfires in streets, etc.]** Whoever is concerned in causing or making a bonfire, or sets fire to or burns any hay, straw, shavings or other combustible material in any street, alley or public place within

the city, shall be fined not less than twenty-five dollars for each offense.

**875. Lamps in barns, etc.]** No person shall take or use in any barn or stable within the city any lighted candle, oil or fluid lamp, or any burning light of any kind whatsoever, unless the same be enclosed and secured in a good glass, horn or other lantern, under a penalty of not less than ten nor more than fifty dollars for each offense.

**876. Shavings, oiled rags, etc.]** Every person keeping or occupying any shop, building or other premises wherein shavings or other combustible materials are made, accumulated, or contained, and situated within two hundred feet of any other building, shall burn, or clear and remove such shavings or other combustible materials out of any such building and the yard belonging thereto daily. Every person using rags or waste for rubbing furniture, or other varnished or oiled work, shall burn or remove from the premises, daily, all such rags or waste so used, or keep the same immersed in water until the removal thereof from the premises. Any person violating any of the provisions of this section shall be fined not more than five dollars for each offense.

**877. Stoves in shops and buildings.]** No stove shall be used in any shop or building, unless the same shall be set in a tray made of, or covered with, fire-proof material, with the stove pipe carefully set up and provided with a suitable collar where passing through wall or roof.

**878. Boiling of pitch, etc.]** No person shall boil any pitch, tar, resin or turpentine within the city, unless in an open space at least thirty feet distant from any building, or in a fire-proof building, under a penalty of not less than ten nor more than twenty dollars for each offense.

**879. Deposit of hay, etc.]** No person shall deposit or stack any hay, straw or other combustible substance within one hundred feet of any dwelling-house, barn, stable, outhouse or building of any description within the city.

**880. Ashes in wooden vessel prohibited.]** No person shall keep ashes in any barrel, box or other wooden vessel, or on any wooden floor in any building, under a penalty of not more than five dollars for each offense.

**881. General penalty.]** Any person violating any of the provisions of this chapter shall be fined not less than five dollars nor more than two hundred dollars for each offense.

## CHAPTER XXIV.

### FIREARMS, FIREWORKS AND CANNON.

**882. Firearms—prohibition.]** No person shall fire or discharge any gun, pistol, or other firearm, within the city, except upon premises used by a duly licensed shooting gallery, gun club, or rifle club, or in accordance with the provisions of section 1486 of chapter XXXIX. of this ordinance, under a penalty of not less than five nor more than twenty-five dollars for each offense.

**883. Firearms—minors.]** No person shall sell, loan, or furnish to any minor any gun, pistol, or other firearm, or any toy gun, toy pistol, or other toy firearm, in which any explosive substance can be used, within the city, under a penalty of not more than one hundred dollars for each offense: Provided, that minors may be permitted, with consent of their parents or guardians, to use firearms on the premises of a duly licensed shooting gallery, gun club, or rifle club, or to secure a permit to shoot game birds in accordance with the provisions of section 1486 of chapter XXXIX. of this ordinance.

**884. Fireworks—discharge.]** No person shall fire, discharge, or set off, anywhere within the city, any rocket, cracker, torpedo, squib, fireworks, or thing containing any substance of an explosive nature under a penalty of not more than ten dollars for each offense: Provided, that the mayor by proclamation may permit the use of fireworks on the fourth day of July, and on such other day or days as he in his discretion may deem proper.

**885. Discharge near hospitals.]** No person shall fire, discharge, or set off, under any circumstances or at any time, any firearms, fireworks, or other explosives within two blocks of any hospital, under a penalty of not more than fifty dollars for each offense.

**886. Fireworks—dynamite.]** No fireworks containing dynamite or any other explosive more powerful than ordinary black gun powder shall be sold or offered for sale or discharged or set off within the city.

Any person violating any of the provisions of this section shall be fined not less than five dollars nor more than fifty dollars for each offense.

**887. Storage of fireworks—sale of.]** No squibs, rockets, crackers, or other fireworks containing powder or other combustible or explosive materials shall be kept or stored within the city except in a fire-

proof vault constructed and located to the satisfaction and approval of the fire marshal, in accordance with the provisions of chapter XXX. of this ordinance regulating the storage and handling of explosives.

Any person or corporation violating any of the provisions of this section shall be fined not less than fifty dollars nor more than one hundred dollars for each offense. Every twenty-four hours that any such rocket, squibs, crackers, or other fireworks shall be kept or stored in violation of the provisions of this section after the first conviction shall be deemed a separate and distinct offense.

Provided, that if at any time the mayor shall by proclamation fix a day or days upon which fireworks may be used, discharged, or set off, any person or corporation desiring to keep or expose for sale fireworks to be used on such day or days so fixed shall make written application to the mayor so to do. Such application shall contain the full name of the applicant and the place at which it is desired to keep or expose for sale such fireworks. Pursuant to such application, a permit shall be issued by the city clerk to such applicant authorizing the keeping or exposing for sale of fireworks at a place to be designated in said permit, for a period of not to exceed five days prior to and including the day or days so fixed by proclamation. Such permit shall be issued by the city clerk upon payment to the city collector of five dollars, and upon the applicant giving a bond to the city with sureties to be approved by the mayor, conditioned to faithfully observe and conform to the ordinances of the city and to indemnify the city against any loss, damage, expense, or liability which it may suffer or which it may be put to, or which may be recovered from it, from or by reason or on account of the issuance of such permit, or from or by reason of any act or thing done under and by virtue of the authority given in such permit.

**888. Cannon—discharge.]** No cannon or piece of artillery shall be discharged or fired off in any street, avenue, alley, park, or place, within the city, except upon the express permission of the city council.

Any person violating any of the provisions of this section shall be fined not less than five dollars nor more than fifty dollars for each offense.

**889. Torpedoes on car tracks.]** No person other than a duly authorized railway employe shall place upon the tracks of any street railway or upon the rail of any steam railway within the city, under any circumstances or at any time, any torpedo, bomb, or other thing containing any substance of an explosive nature.

Any person violating any of the provisions of this section shall be fined not less than ten dollars nor more than fifty dollars for each offense.

## CHAPTER XXV.

### FISH.

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#### INSPECTOR AND HIS DUTIES.

**890. Office created—appointment.]** There is hereby created the office of inspector of fish. He shall be appointed by the mayor, by and with the advice and consent of the city council.

**891. Bond.]** He shall, before entering upon the duties of his office, execute a bond to the city, in the sum of five thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**892. Assistants—appointment and removal.]** Said inspector shall appoint, according to law, such number of assistants as the city council may authorize. Such assistants shall brand all packages inspected by them, in the name of said inspector; but each assistant shall have some distinctive mark, with which he shall designate each package inspected by him, so as to indicate by whom the inspection was actually made. Said inspector shall have the right to take a bond, with sufficient penalty and security, running to himself, from each of the said assistants, and of the same tenor as the bond herein required to be executed by said inspector.

**893. Prohibited dealings.]** No person holding the office of fish inspector shall, nor shall his employes or assistants, or either of them, buy or sell, or deal in, or in anywise be interested in, any fish sold or received for sale in the city.

**894. Inspection — right of entry — penalty.]** Said inspector, or any assistant inspector, shall have the power of entry into or upon any premises, or into any store, room or place, where fish, whether fresh or salt water fish, or pickled, salted or preserved fish, oysters, or shell fish, of any kind whatsoever, are stored, kept, sold or offered for sale, for the purpose of inspecting such fish or shell fish, and he shall have the right, upon making such entry to inspect any such fish or shell fish of any kind whatsoever found therein, for the purpose of ascertaining whether such fish or shell fish are in good, wholesome condition and fit for human food. Any person in charge, possession or control of any such premises, store, room or place, where such fish

or shell fish are stored, kept, sold or offered for sale, and to which the said inspector or any of his assistants shall desire to make entry for the purpose of inspecting such fish or shell fish, who shall resist or obstruct the entry of such inspector or assistant, or who shall in any manner prevent such entry, or who shall refuse to permit the inspection of any such fish or shell fish found therein by such inspector or assistant, or who shall attempt to prevent such inspection, shall be fined not less than ten nor more than one hundred dollars for each offense.

**895. Seizure.]** When such fish or shell-fish are found, on inspection, to be tainted, diseased, or unwholesome, from any cause, said inspector shall seize the same and cause them to be destroyed at the expense of the owner or person found in possession thereof; Provided, however, that if the owner of the property seized shall, at the time of the seizure, notify the said inspector, in writing, of his desire to appeal to the commissioner of health, said inspector shall cause said property so seized to be inspected by said commissioner, and if said commissioner shall find the same to be tainted, diseased, corrupted, or unwholesome, he shall order the same to be destroyed as aforesaid; but if he shall not so find, the same shall be forthwith returned to the owner.

**896. False assumption of office.]** No person not duly appointed and qualified as fish inspector, or assistant, shall act, or assume to act, as inspector of fish, or hold himself out to the public as such inspector.

**897. Sale of tainted or unwholesome fish—penalty.]** No person shall sell or offer for sale, or keep, in any room, store or place where fish or shell fish of any kind whatsoever is sold, kept, or offered for sale, any fresh or salt water fish, or pickled, salted or preserved fish, or shell fish, of any kind whatsoever, which is tainted, diseased or unwholesome, or unfit from any cause whatsoever, for human food. Any person violating any of the provisions of this section shall be fined not less than ten nor more than one hundred dollars for each offense.

**898. Penalty.]** Any person who shall violate any of the provisions of this chapter shall be fined not to exceed twenty-five dollars for each offense.

## CHAPTER XXVI.

### FOREIGN FIRE INSURANCE COMPANIES.

**899. Business prohibited—when.]** It shall be unlawful for any corporation, company or association, not incorporated under the laws of the state of Illinois, to engage, in the city, in effecting fire insurance, or to transact any business of fire insurance in said city, while in default by not fully complying with any of the requirements of this chapter, and until such requirements shall have been fully complied with; but this provision shall not relieve any company, corporation or association from the payment of any risk that may be undertaken in violation of this chapter.

**900. Two per cent. gross receipts—pay into city treasury.]** Any such corporation, company or association not incorporated under the laws of the state of Illinois, which is engaged in the city in effecting fire insurance, shall pay to the city collector, for the maintenance, use and benefit of the fire department of the city, a sum of money equal in amount to two per cent. per annum of the gross receipts received for premiums by any and all agents of any such corporation, company or association during the year ending on every first day of July, for any insurance effected or agreed to be effected in said city by or with any such corporation, company or association during such year.

**901. Company to make report each year.]** Every person acting in the city as agent, for or on behalf of any such corporation, company, or association, shall, on or before the fifteenth day of July of each and every year, render to the comptroller a full, true and just account, verified by his oath, of all premiums which, during the year ending on the first day of July preceding such report, shall have been received by him, or any other person for him, in behalf of any such corporation, company or association. Such agent shall also at the time of rendering the aforesaid report pay to the city collector the sum of money for which such company, corporation or association, represented by him is chargeable, by virtue of the provisions of this chapter.

**902. Recovery by suit.]** The sum of money for which such company, corporation or association is so chargeable, may be recovered of it, or its agent or agents, by an action in the name of and for the use of the city of Chicago, as for money had and received.

Nothing in this section shall be held to exempt any person, cor-

poration, company or association from indictment and conviction under the provisions of an act entitled "An act to enable cities, towns and villages, organized under any general or special law, to levy and collect a tax or license fee from foreign insurance companies for the benefit of organized fire departments," in force July 1, 1895.

**903. Insurance broker—concerning.]** No insurance broker in the city shall place any insurance with any company, association or corporation not incorporated under the laws of this state, which shall be in default for not reporting or making payment as hereinbefore provided, until it shall have complied with all the requirements of this chapter.

**904. Penalty.]** Any person violating any of the provisions of this chapter shall be fined not less than twenty-five nor more than two hundred dollars for each offense.



## CHAPTER XXVII.

### GAMING.

**905. Places kept for gambling—nuisance.]** Every house, room, yard, boat, vessel, or other structure or premises kept or used for the purpose of permitting persons to gamble for any valuable thing within the city is hereby declared to be a common nuisance.

Every person who owns, keeps, maintains, manages, or conducts, or who is interested in owning, keeping, maintaining, managing, or conducting any such place shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

**906. Gambling prohibited.]** No person shall deal, play, or engage in faro, roulette, or gambling for money or other valuable thing, or any other device or game of chance, hazard, or skill, either as book-maker, dealer, keeper, player, or otherwise, for the purpose of gaming or gambling for money or other valuable thing, under a penalty of not less than ten dollars nor more than two hundred dollars for each offense.

**907. Duty of police.]** It shall be the duty of all members of the department of police to give information to the mayor of every house, room, yard, boat, vessel, or other structure or premises within the city wherein any such game or device or policy shop tickets or lists are or may be set up, kept, or maintained; and such members of the department of police shall take all lawful means to suppress and prevent the playing at or use of any faro table, roulette wheel, or the playing of any game or the use of any device hereinbefore mentioned; and for this purpose when and as often as any such member of the police department shall have reasonable cause to suspect that any such table, wheel, game, or device is set up, kept or maintained, anywhere within the city, he shall forthwith make complaint thereof before some justice of the peace and obtain a warrant authorizing him to enter such house, room, yard, boat, vessel, or other structure, place, or premises, or any part of the same; and such member of the police department shall thereupon have authority to demand entry thereto; and any person who shall refuse or fail to open the door or entrance thereto or who shall obstruct or do anything tending to obstruct or prevent the entry of such member of the department of police to any such house, room, yard, boat, vessel, or other structure, place, or premises, or any part thereof, when such member of the police depart-

ment shall have a warrant, shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

**908. Possession of gambling device.]** No person shall bring into the city or have in his possession within the city, for the purpose of gaming or gambling for money or other valuable thing, any table or other device of any kind or character whatsoever whereon or with which money or any other valuable thing may in any manner be played or gambled for.

Any person violating any of the provisions of this section shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

**909. Gambling in the street.]** No person shall expose any table, wheel, or device of any kind whatsoever, intended, calculated, or designed to be used for gaming or gambling or for playing any game of chance or hazard, in, upon, or along any of the streets or other public places of the city, under a penalty of not less than twenty-five dollars nor more than two hundred dollars for each offense.

**910. Visitor—keeper—runner, etc.]** Every person who shall patronize, visit, frequent, or be connected with the management or operation, or who shall act as the doorkeeper, solicitor, runner, agent, abettor, or pimp of any house, room, yard, boat, vessel, or other structure, place, or premises kept within the city for the purpose of permitting persons to game or gamble for any valuable thing, shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

**911. Seizure of gaming implements.]** It is hereby made the duty of every member of the department of police to seize any table, wheel, instruments, device, or thing used for the purpose of gaming or gambling for money or other valuable thing; and all such tables, instruments, devices, or things when seized shall be destroyed.

Any person obstructing or resisting any member of the police department in the performance of any act authorized in this section shall be fined not less than twenty-five dollars nor more than fifty dollars for each offense.

**912. Tape and slot machines prohibited—penalty.]** No person shall keep, own, operate, use, or cause to be kept, operated or used, in any room, saloon, inn, tavern, shed, booth, building, inclosure, or upon any premises or any part thereof, any clock, "joker," tape or slot machine or other device of any kind or nature whatsoever, upon, in or by or through which money is staked or hazarded or into which money is paid or played upon chance or upon the result of the action of such clock, "joker," tape, or slot machine or other device, money or other valuable thing is staked, bet, hazarded, won or lost. Any person violating any of the provisions of this section shall be fined not less than twenty-five dollars nor more than two hundred dollars for

each offense, and each and every day on which any person shall operate, keep, own, or have in his charge, possession or control any such clock, "joker," tape or slot machine, or other device in violation of the provisions of this section, shall be deemed a separate and distinct offense.

#### LOTTERY AND POLICY SHOPS.

(Note: See Supplement.)

**913. Prohibition.]** No person shall set up, conduct, establish, promote or maintain, or cause to be set up, established, promoted, conducted or maintained, any lottery or policy shop, or any other means or device by which is given or pretended to be given a chance in a distribution of a prize or prizes in money or other valuable thing, by means of a lottery or policy drawing or by other chance, or which, by or under pretence of sale, gift or delivery of any ticket or tickets or policy slip or slips or in any other way whatever, disposes of or attempts to dispose of any real or personal property or other thing of value, with intent to make the disposition of such real or personal property or other thing of value dependent upon or connected with any chance, by means of lottery drawings or policy drawings or by throwing of dice, drawing of lots or other hazard or gambling device, wherein and whereby such chance or device is made an additional inducement for the disposition or sale of any real or personal property or thing of value, or, by the possession or ownership of any such lottery ticket, policy slip or chance the person possessing or owning same is given or is supposed to be given a chance or opportunity to secure possession or ownership of some article, real or personal property or other thing of value, and the ultimate ownership or possession of which such real or personal property or other article of value is made to depend upon the result of any lottery drawing, policy drawing, throwing of dice, drawing of lots or other hazard or gambling device whatever. No person shall dispose or attempt to dispose, by way of sale, gift, delivery or other method of disposition, of any lottery ticket, policy slip or chance in any drawing either by lottery, policy, lot or by throwing of dice or other hazard or gambling device, either as backer, writer, solicitor, runner, agent, aider or abettor or in any other way whatever. Any person who, in any house, shop, building, boat, vessel or other structure whatever owned or occupied by him, or of which he is in possession, charge or control, knowingly permits the setting up, managing or drawing of any lottery, or any policy shop or game, or the disposition or distribution of any real or personal property or article of value by any means or device mentioned in this chapter, or who shall knowingly permit in any such house, shop, building, boat, vessel or other structure owned or occupied by him or in his charge, possession or control, the sale, exchange,

negotiation, gift or other disposition or distribution of any lottery ticket, policy slip, or other writing, certificate, bill, token or device entitling or purporting to entitle the holder or buyer thereof or any other person to a chance for a prize or prizes to be drawn in any such lottery or policy, or in any real or personal property or other article of value to be disposed of by or through any lottery or policy drawing or other gambling device or hazard of any kind described in this chapter, shall be fined not less than twenty-five nor more than two hundred dollars for each offense, and each and every day on which any such person shall knowingly permit a violation of any of the provisions of this section or of the preceding section to occur in any house, shop, building, boat, vessel or other structure owned or occupied by him or in his possession, charge or control, shall be deemed a separate and distinct offense.

**914. Writing or sale of policy slips prohibited—penalty.]** Whoever sells or offers to sell, either for himself or for any other person, or writes or causes to be written, or has in his possession or control with intent to sell or offer for sale or exchange or to negotiate, any lottery ticket, policy slip, writing, certificate, bill, token or other device entitling or purporting to entitle the holder or buyer thereof or any other person to a chance for a prize, or to a share of or interest in any prize, to be drawn in any lottery or policy shop, or to a chance for the ownership or possession of any real or personal property or other article of value by reason of any gambling device or hazard of any kind whatever mentioned in this chapter, whether such lottery, drawing, policy shop, or other distribution or disposal of any prize or prizes or any real or personal property or any article or thing of value whatever, is held in the city or elsewhere, shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense. In any prosecution for a violation of any of the provisions of this section, proof of the setting up, establishment, conducting, maintaining or promoting any lottery or policy shop, or proof of the drawing of the same, shall not be required.

**915. Advertising prohibited.]** Whoever knowingly prints, publishes, distributes or circulates, or knowingly causes to be printed, published, distributed or circulated any advertisement of any lottery ticket or scheme, or any share in such ticket or scheme, either by himself or by another person, or sets up, or exhibits, or devises, or makes, for the purpose of being set up and exhibited, any sign, symbol, or emblematic or other representation of a lottery, or the drawing thereon, in any way indicating where a lottery ticket, or any share thereof, or any such writing, certificate, bill, token or other device before mentioned may be purchased or obtained, or in any way invites, or entices, or attempts to invite or entice, any other person to purchase

or receive the same, shall, for each offense, be fined not less than ten nor more than two hundred dollars.

**POOL-SELLING, BOOK-MAKING.**

**916. Betting prohibited.]** All betting, wagering, speculating, pool-selling, or book-making upon any horse race or races or the result thereof, and all gambling and every game of chance of any nature whatsoever, within or upon any and all race tracks and race courses, or in any building or buildings within any race track or race course, within the city is hereby prohibited.

**917. Penalty.]** Any person found violating any of the provisions of the preceding section shall be fined not less than one hundred dollars nor more than two hundred dollars for each offense.

**918. Owner, lessee or occupant of premises where pools, etc., are sold to be fined.]** Any person or corporation who keeps, occupies or controls any room, shed, tenement, tent, booth, building or other structure, or any part thereof, or who occupies any place anywhere within the city, with any book, instrument or device for the purpose of taking, recording or registering bets or wagers or of selling pools, or any person who takes, records or registers, bets or wagers, or sells pools, upon the result or alleged result of any actual, supposed, alleged or fictitious trial or test of skill, speed or power of endurance of man or beast, or upon the result or alleged result of any actual, supposed, alleged or fictitious political nomination, appointment or election, or who, being the owner, lessee or occupant of any room, shed, tenement, tent, booth or building or other structure or part thereof, knowingly permits the same to be used or occupied for any such purpose or therein keeps, exhibits or employs any device or apparatus for the purpose of taking, recording or registering such bets or wagers or selling such pools, or becomes the custodian or depository for hire or reward of any money, property or thing of value, staked, wagered or pledged upon any such result or alleged result, shall be fined not less than fifty nor more than two hundred dollars for each offense.

In prosecutions under this section proof of the taking, recording or registering of such bet or wager, or pool-selling, as is herein prohibited, shall be prima facie evidence of the violation of this section, and proof shall not be required that there was any actual, supposed, alleged or fictitious trial or test of skill, speed, or power of endurance of man or beast, or that there was any actual, supposed, alleged or fictitious political nomination, appointment or election, to which such bet, wager or pool-selling may appertain.

**919. Advertising of bets unlawful—penalty.]** No person shall insert, or cause to be inserted, or print or publish or cause to be printed or published, in any newspaper or other publication printed, pub-

lished or circulated in the city, any notice, advertisement or mention giving or purporting to give information of where or with whom bets or wagers may be made or placed, or where or by whom pools are sold, upon the result of any trial or test of skill, speed, or power of endurance of man or beast, or upon the result of any political nomination, appointment or election, under a penalty of not less than fifty dollars nor more than two hundred dollars for each offense.

**920. Circulation of betting advertisements prohibited—penalty.]**

No person shall display or exhibit or distribute or cause to be distributed any circular, blank, handbill, pamphlet or other thing containing any notice, advertisement or mention, giving or purporting to give information where or with whom bets or wagers may be made or placed, or where or by whom pools are sold, upon the result of any trial or test of skill, speed or power of endurance of man or beast, or upon the result of any political nomination, appointment or election, under a penalty of not less than fifty dollars nor more than two hundred dollars for each offense.

## CHAPTER XXVIII.

### GAS.

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#### ARTICLE I.

##### INSPECTOR OF GAS METERS AND GAS.

**921. Bureau of gas inspection established.]** There is hereby established a bureau, in the department of electricity, to be known as the bureau of inspection of gas meters and gas; which shall be under the supervision and control of the city electrician.

**922. Office created—appointment.]** There is hereby created the office of inspector of gas meters and gas. He shall be appointed by the mayor, by and with the advice and consent of the city council, and shall be the head of said bureau. Said bureau shall embrace the said inspector and such assistants and employes as the city council may by ordinance provide.

**923. Bond.]** Said inspector shall before entering upon the duties of his office execute a bond to the city, in the sum of ten thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**924. Duty to test meters.]** It shall be the duty of such inspector to examine and test any gas meter furnished to any consumer of gas by any gas company furnishing gas in the city, whenever requested so to do by such consumer; such inspection to be made substantially in accordance with the following requirements: whenever any consumer of gas furnished by any gas company in the city shall make request in writing to such inspector to have any meter or meters furnished and installed by such gas company on the premises of such consumer inspected by such inspector, for the purpose of ascertaining whether such meter registers accurately and correctly, and pays to such inspector the amount of the inspection fee as hereinafter fixed, such inspector shall proceed to make a test of such gas meter. Before making any such test the inspector shall give notice to the person making application for such test and also to the gas company whose meter is about to be tested, of the time and place where he intends to test such meter. Notice to the gas company shall be given in

writing, sent by mail addressed to such gas company at its principal place of business in the city, and notice shall be sent to such applicant in writing by mail, addressed to the premises described in the application for such test. Such notice shall be mailed in each case at least forty-eight hours before the time set for the test of such meter. The test of any such meter shall be made by the inspector or his duly authorized agent or agents, at such place as he may designate in such notice or notices, and shall be made in such manner as to thoroughly test such meter with a view of ascertaining whether it registers accurately.

**925. Testing of meters—unit of measure—pressure at which test is to be made—standard meters—variations allowed.]** The unit of measure to be employed by the inspector in making the tests of meters herein provided for shall be the cubic foot containing 62.321 pounds of rain or distilled water at a temperature of sixty-two degrees Fahrenheit and at a barometric pressure of thirty inches.

All meters shall be tested at a pressure which will balance a column of water five tenths of an inch in height.

There shall be maintained at all times in the office of the inspector of gas meters and gas at least three standard gas meters which have been tested, sealed, and certified by the United States Bureau of Standards.

The meters so maintained shall be used as standards for the purpose of checking the working standards which are used by said inspector in checking and testing the meters used by consumers of gas.

Any consumer's meter tested by said inspector shall be deemed to be correct if it registers not to exceed two per cent. above or two per cent. below the working standard.

**926. Inspection conclusive.]** The inspection herein provided for to be made by such inspector shall be conclusive, both upon the person or corporation owning such meter and the consumer in or upon whose premises such meter was installed, and the amount of gas flowing through such meter for a period of three months before the close of the month in which such meter shall be inspected shall be adjudged to be as if such meter were during such three months in the same condition it was found in at the time such inspection was made.

**927. By whom fee is to be finally paid.]** If the result of any such inspection shall show any meter so inspected to be inaccurate and to have registered in such manner as to show a greater consumption of gas than was actually consumed or than actually flowed through such meter, the amount advanced by the person desiring such test shall be forthwith returned by such inspector to such person and such inspection shall be made without cost or expense of any kind to him. The cost of making such inspection of any meter so found to be inaccurate shall be paid by the person or corporation furnishing gas



through the same and by whom or for whose benefit such meter was installed, and the amount of the fee as herein fixed for such inspection shall be paid by such person or corporation upon a bill being presented to him or it by the inspector with his certificate showing that such meter was found by him to be inaccurate. If the result of any such inspection of any meter shall show such meter to be registering accurately or to have registered a smaller amount of gas than was actually consumed or flowed through such meter, in such case the expense of such inspection shall be paid for out of the fee required to be advanced by the person making application for such inspection, and no part of such fee shall in such case be returned to such applicant.

**928. Fees.]** Any person or corporation desiring the inspection of any gas meter within the city shall accompany the application hereinbefore provided for with a fee of two dollars and fifty cents, which shall be paid to the city collector, and shall obtain a receipt from the city collector for such payment; which receipt shall describe the location of the gas meter to be inspected and the name of the person or corporation owning or for whose benefit such gas meter was installed. Such receipt when presented to the inspector shall be his authority for making the inspection herein provided for.

**929. Disconnection of meters to be inspected.]** Whenever a request shall be made to inspect any meter which is installed in any premises, the inspector of gas meters and gas shall have the right, upon giving the notices hereinbefore provided for, to disconnect and detach such meter and convey the same to such place as he may desire for the purpose of making his inspection. The cost of such disconnection and conveyance to the place of inspection shall be paid for out of the fee hereinbefore provided for.

**930. Office hours—apparatus.]** Said inspector shall keep an office in the city hall, where he shall be found during all business hours of the day except when absent on business connected with his official duties.

He shall keep in his office a good and accurate photometer, and not less than three standard meters as hereinbefore provided for, all of which shall be furnished by the city.

**931. Supervision over street lamps.]** It is hereby made the duty of said inspector, subject to the direction of the city electrician, to exercise a supervision over all public street lamps together with the burners thereto attached and to see that such lamps and burners are kept clean and in good order; that the burners are of equal size and of the size provided for in the contract between the city and any person or corporation furnishing or supplying the gas or other illumination used in such street lamps.

**932. Records to be kept.]** Said inspector shall keep a register or

registers in his office, in which he shall record the number and description of each meter inspected by him and the time when it was tested by him, together with a record of all notices sent or given by him and all other proceedings of his office. Such records shall at all times be open to the inspection of the mayor, any member of the city council, and the head of any department.

**933. Duty of inspector to test quality of gas.]** Said inspector shall from time to time make photometric tests of the quality of gas furnished by the various gas companies or persons engaged in the business of furnishing and supplying gas to consumers in the city, and he shall communicate to the city council the result of such tests. If at any time he shall discover that the quality of gas being furnished or supplied to the city or to any consumer by any person or corporation engaged in the business of furnishing or supplying gas, either as to purity or illuminating power, is below the standard required by the provisions of this chapter, he shall forthwith report such fact to the city council and to the city electrician with a record showing the tests made by him.

**934. Annual estimate.]** Said inspector shall on or before the first day of February in each and every year prepare and submit to the comptroller an estimate of the whole cost and expense of providing for and maintaining his office during the current fiscal year; which estimate shall be in detail and shall be laid by said comptroller before the city council with his annual estimate.

**935. Annual report.]** Said inspector shall annually on or before the first day of May in each year report in writing to the city council the transactions of his office during the preceding year, with such other information as he may deem necessary and proper.

**936. Penalty.]** Any person who shall alter or change any gas meter or the register thereon with the intent to defraud any person or corporation, or who shall tamper with or change any certificate issued by said inspector relating to the inspection of any gas meter for the purpose of defrauding any person or corporation, shall be fined not less than ten dollars nor more than one hundred dollars for each offense; and any person who shall violate or refuse to comply with any of the provisions of this article, shall be fined not less than ten dollars or more than one hundred dollars for each offense.

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## ARTICLE II.

### QUALITY OF GAS.

**937. Purity of gas.]** Any person or corporation engaged in, car-

rying on, or conducting the business of furnishing or supplying gas in the city to any consumer or consumers shall be and hereby is required to furnish and supply gas which shall be so far free from sulphureted hydrogen that it shall not discolor a test paper imbued with acetate of lead when such test paper is exposed to a column of gas issuing for thirty seconds under a pressure of five tenths of an inch of water, and so that one hundred cubic feet of such gas shall not contain more than twenty grains of sulphur, and so that one hundred cubic feet of such gas shall not contain more than five grains of ammonia.

All tests to be made for the purpose of establishing the purity of gas furnished by any person or corporation furnishing gas in the city shall be made and conducted in accordance with the method employed by the Metropolitan Gas Referees of the city of London for testing the purity of gas supplied, as such methods were in force and vogue on January 1, 1904.

**938. Illuminating power.]** Any person or corporation engaged in, carrying on, or conducting the business of furnishing or supplying gas in the city to any consumer or consumers shall be and hereby is required to furnish and supply gas of an illuminating power of not less than twenty candle power, the pressure of gas to be taken at a distance of not less than one mile from the place where the gas tested is manufactured. The gas to be tested shall be burned in a standard burner corresponding to the specifications used by the Metropolitan Gas Referees of the city of London and known as "Sugg's London Argand No. 1."

The inspector of gas meters and gas shall maintain three standard lamps, which shall be certified by the United States Bureau of Standards and which shall be used only for the purpose of checking the working standards to be used by said inspector in testing gas for illuminating power.

**939. No deposit for meters.]** It shall be unlawful for any person or corporation engaged in the business of furnishing or supplying gas for consumption in the city to require, demand, or receive a deposit of money or other valuable thing as a condition precedent to or as a security for furnishing any consumer with a meter.

**940. Penalty.]** Any person or corporation engaged in, carrying on, or conducting the business of furnishing or supplying gas in the city to any consumer or consumers, who shall furnish gas of a lower standard of purity or of less illuminating power than that required in and by the provisions of this article or who shall violate any other provision of this article, shall be fined not less than fifty dollars nor more than two hundred dollars for each offense; and each and every day on which any such person or corporation shall furnish or supply gas to any person in the city in violation of any of the provisions of this article shall be deemed a separate and distinct offense.

## ARTICLE III.

## GAS RATES.

**941. Rate—nonpayment.]** No person or corporation manufacturing, selling, supplying, or distributing gas in the city for illuminating or for fuel purposes shall charge, exact, demand, or collect from any consumer thereof more than the sum of seventy-five cents per thousand cubic feet of gas consumed or used. Said sum of seventy-five cents per one thousand cubic feet of gas shall be the net price charged, exacted, demanded, or collected from each consumer. Provided, however, that any person or corporation distributing or selling gas for fuel or illuminating purposes in the city may, in addition to said seventy-five cents per one thousand cubic feet of gas furnished to such consumer, add a penalty of not exceeding ten cents for each one thousand cubic feet of gas so supplied to such consumer for delinquency or nonpayment of the bill, statement, or charge of such person or corporation after ten days from the date at which said bill, statement, or charge is made and furnished to such consumer.

**942. Meters—removal of.]** Any person or corporation who shall remove any meter or meters from the house, store, factory, or premises of any consumer of gas in the city against the will and consent of any such consumer of gas who is willing to pay for gas furnished him, it, or them by any such person or corporation and tenders the amount due at the price established and fixed in the preceding section of this article, shall be subject to a penalty of not less than twenty-five dollars nor more than two hundred dollars for each offense; Provided, however, that any person or corporation furnishing gas to consumers in the city shall have the right to remove any meter or meters for the purpose of repairing the same, on condition that such meter or meters so removed shall be replaced or a new one substituted in its place within twenty-four hours of the time of the removal of any such meter or meters.

**943. Penalty.]** Any person or corporation who shall in violation of the provisions of the preceding sections of this article charge or require the city or any consumer of gas therein to pay for gas furnished to it or them, or either of them, a sum in excess of seventy-five cents per one thousand cubic feet shall be subject to a penalty of not less than twenty-five dollars nor more than two hundred dollars for each offense.

## ARTICLE IV.

## GAS AND ELECTRICITY INSPECTION.

**944. Uniforms—badges of inspectors.]** It shall be the duty of every person or corporation furnishing or selling gas or electricity for illuminating or fuel purposes within the city to supply or furnish to every person employed by such person or corporation as inspector or gas or electric meters, or examiner or tester of meters, or meter statement taker, a uniform or badge of authority showing conspicuously the nature of the employment and the name of the person or corporation by whom he is employed.

**945. Register.]** It shall be the duty of every person or corporation furnishing gas or electricity for illuminating or fuel purposes in the city to register the name of each and every person employed in any capacity mentioned in the preceding section of this article, with the commissioner of public works.

**946. Wearing of uniform and badge compulsory.]** It shall be unlawful for any person employed in any capacity mentioned in section 944 of this article for the purpose of testing, examining, removing, or inspecting any gas or electric meter, to engage in any such employment unless such person is wearing a uniform or badge such as is provided for in and by section 944 of this article, in a conspicuous manner, so that the same can be readily perceived.

**947. Misrepresentation of employment.]** It shall be unlawful for any person not in the employ of any person or corporation in any capacity mentioned in section 944 to enter or secure entrance into any house, building, or store upon the representation that he is thus employed, or to wear any uniform or badge showing or representing any such employment.

**948. Penalty.]** Any person or corporation violating any provision of any section of this article shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

## CHAPTER XXIX.

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### GRADES.

**949. Record of benches and elevations.]** It shall be the duty of the commissioner of public works to have accurate standard elevations and city bench marks established from, and referring to, "Chicago City Datum" as "Low Water of 1847," and after they have been ratified and confirmed by the city council, to make and keep a careful and complete record of such standards and bench marks. He shall also make and keep a record of all the street grades heretofore and hereafter established by the city council. From the elevations given in said records all public works and private improvements shall be constructed. The elevations, bench marks and street grades contained in said records shall be the legal and only standard representing city datum.

**950. Bench engineer.]** The said commissioner of public works shall designate from among the corps of engineers in his department one competent and experienced civil engineer to be known as the bench engineer, whose duties shall be to make and record city standards and benches.

**951. Lind block bench mark—established.]** The standard elevation of the Lind Block Bench Mark shall be 15.659 feet above city datum; and the city bench engineer shall start his levels for establishing bench monuments and city bench marks from the said Lind Block Bench, with an elevation thereof of 15.659 feet above city datum.

**952. Heights of bench monuments.]** The heights of bench monuments shall refer in each and every case to the bench point, or top of copper rod in each monument, that shows in the surface of the concrete under the iron cover, and shall be measured from the plane of low water in Lake Michigan of A. D. eighteen hundred and forty-seven, established by the board of trustees of the Illinois and Michigan Canal; adopted by the late board of public works of the city of Chicago, and now represented by section 951.

**953. Defacement—penalty.]** It shall be unlawful for any person to cover up, conceal, deface, obliterate, or in any manner to injure, erase, disfigure or change the location of any of the concrete standard bench monuments, which have heretofore been established, or which may hereafter be established, by the city.

Any person who shall violate any of the provisions of this section shall be fined not less than fifty dollars nor more than two hundred dollars for each offense.

**954. Grade ordinances.]** All ordinances fixing the grades of streets in the city shall be referred to the superintendent of sewers and shall be passed by the city council only upon the recommendation of said superintendent.

**955. Straight lines.]** Street grades shall be established along the curb lines of the streets, and shall run in a straight line from the established grade at any street intersection to the established grade at the intersection of the next street thereto, or to any established street grade between the intersection of such streets. The term "intersection of streets" shall be taken as the intersection of curb lines and curb lines produced, at all intersecting and abutting streets.

## CHAPTER XXX.

### GUNPOWDER, DYNAMITE, AND HIGH EXPLOSIVES.

**956. Explosives—license.]** No person or corporation shall keep, sell or offer for sale, or give away, anywhere within the city, any gunpowder, guncotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or other high explosives of similar nature, in any quantity, whether in bulk or made up or kept in packages or cartridges, or keep, sell or offer for sale, or give away, anywhere within the city, any loaded paper or metallic shot shells or cartridges designed or intended to be used for shotguns, pistols, rifles, or other firearms, or percussion caps or primers with or without anvils, without a license issued for that purpose as hereinafter provided; Provided, however, that nothing herein contained shall be held to prevent any person from keeping on his own premises, for his own use, a quantity of gunpowder not exceeding one pound, or loaded shot shells or cartridges not exceeding five hundred in number.

**957. Application.]** Any person or corporation desiring a license to keep, sell, or give away any gunpowder, guncotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or other high explosives of similar nature, or loaded paper or metallic shells intended or designed to be used in a shotgun, pistol, rifle, or other firearm, or percussion caps or primers, shall make application in writing to the fire marshal for a license so to do, setting forth in such application the name, residence, and occupation of the applicant, if an individual, and if a corporation its name, principal place of business, and the name and residence of its officers. Such application shall also set forth the location at which it is desired or intended to keep such explosives or cartridges or percussion caps or primers, and the maximum amount of such explosives or any of them or of such cartridges or caps or primers intended to be kept on hand at any one time at such place, and whether such explosives are to be kept in bulk or in barrels, canisters, or other packages, and the number of loaded shot shells or cartridges or percussion caps or primers intended to be kept on hand at any one time in such place.

**958. Investigation by fire marshal.]** Upon the receipt of such application the fire marshal shall make or cause to be made an investigation for the purpose of ascertaining whether the place at which it is desired or intended to keep, sell, or give away such explosives or any of them or such loaded shot shells or cartridges or percussion



caps or primers is so situated that a license to keep such explosives or cartridges or caps or primers in the quantity desired would not be so dangerous as to constitute a nuisance or be a menace to the safety of the public or of adjoining property, and also whether the conditions under which such explosives or cartridges or caps or primers or any of them are to be kept or handled shall be such as to provide the maximum of safety.

**959. License fee.]** If the result of such investigation shall be satisfactory to the fire marshal he shall approve such application and transmit same with his approval thereon to the city clerk, who shall, upon payment by such applicant to the city collector of a license fee of twenty-five dollars, issue to such applicant a license attested by said city clerk, authorizing such applicant to keep, sell, or give away, at the place designated in his application, gunpowder, guncotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or other high explosives of similar nature, or loaded paper or metallic shells or cartridges designed or intended for use in shotguns, pistols, rifles, or other firearms, or percussion caps or primers, for and during the period of such license; Provided, however, that if any person or corporation shall desire a license for the sole purpose of keeping, selling, or giving away within the city loaded paper or metallic shot shells or cartridges designed or intended to be used in shotguns, pistols, rifles, or other firearms, and shall not desire to have on hand at any one time a greater quantity of such shells or cartridges in the aggregate than twenty-five thousand, a license shall be issued to such person or corporation upon application in writing made to the fire marshal in the same manner as is hereinbefore provided for a license for the keeping of explosives, and such license shall be issued upon payment by the applicant of a fee of ten dollars and shall entitle the licensee therein to keep at the place designated in such license, for and during the period thereof, loaded paper or metallic shot shells or cartridges in a quantity not exceeding the number hereinbefore specified.

**960. City clerk to keep record of licenses.]** The city clerk shall keep a separate register in which shall be made an entry of each license issued to any person or corporation under the provisions of this chapter; which register shall set forth the name of the licensee, the place of business, the date of the issuance of such license, and the maximum amount of explosives or loaded shells or cartridges or percussion caps or primers permitted to be kept by the terms of such license.

**961. Amount of explosives and shells, etc., allowed.]** No person or corporation licensed under the provisions of this chapter shall be permitted to have or keep at any place within the city or within one mile of the limits thereof a greater quantity of gunpowder, guncotton,

giant powder, dynamite, nitroglycerine, fulminate of mercury, or other high explosives of similar nature than fifty pounds in the aggregate of all of such explosives, at one time, whether kept or stored in bulk or made up in barrels, canisters, or packages, or a greater number of percussion caps or primers without anvils than six million, or a greater number of primers for central fire containing metallic anvils than two million, except in powder magazines or specially constructed places as hereinafter described; and such explosives or any of them shall be kept stored in such a manner as shall be approved by the fire marshal and in a situation remote from any other inflammable matter and away from fires, lights, or any other cause likely to produce combustion or conflagration.

**962. Explosives not to be handled by artificial light.]** No person or corporation licensed under the provisions of this chapter shall sell, weigh, or handle for sale or disposition any explosives described in this chapter excepting loaded paper or metallic shot shells or cartridges, percussion caps or primers, by artificial light, unless such explosives be in sealed metallic cases or canisters so as to effectually prevent danger of explosion or conflagration.

**963. Powder magazine location.]** No powder magazine or other place for storing gunpowder, guncotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or other high explosives of similar nature, percussion caps or primers, in greater quantities than as authorized in section 961 of this chapter shall be kept or maintained within the city or within one mile of the limits thereof unless such powder magazine or place shall be erected and constructed in a safe, substantial manner and according to the most approved methods employed or used for the erection and construction of such magazines or places and to the satisfaction and approval of the fire marshal; and no such powder magazine or place shall be located or situated anywhere within the city or within one mile of the limits thereof unless it be so located and situated that no portion of such magazine or place shall be less than eight hundred feet from any building, structure, or public way; Provided, however, that if any person or corporation licensed under the provisions of this chapter shall desire to keep on hand a greater quantity or number of percussion caps or primers than specified in section 961 of this chapter, and shall keep or store such percussion caps or primers in a building or structure where no gunpowder, guncotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or other high explosives of similar nature are kept, such person or corporation may be permitted to keep or store such quantity of percussion caps, or primers if they are kept or stored in a fireproof vault, which shall not be located above the second floor or story of any building or structure, provided such

fireproof vault shall be located and constructed in a manner satisfactory to and approved by the fire marshal.

**964. Conveyance of explosives along streets.]** It shall be unlawful for any person to carry or convey or cause to be carried or conveyed any gunpowder in any quantity exceeding fifty pounds, or any guncotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or other high explosives of similar nature, in any quantity exceeding five pounds, through, upon, or along any street, alley, or public way in the city, except upon special permit issued in writing by the fire marshal for that purpose and in accordance with such rules and regulations as shall be prescribed by said fire marshal in such permit; and any vehicle used for the purpose of conveying such explosives through, upon, or along any street, alley, or public way in the city shall have the words "Gunpowder—Dangerous Explosives" painted or printed on the outside of each side of such vehicle, in large and legible letters not less than six inches high and one and one-half inches wide.

**965. Explosives not to be allowed to remain on docks, etc.]** No gunpowder, guncotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or other high explosives of similar nature shipped to or from the city shall be permitted to remain upon any dock, wharf, landing, street, public way, railroad track or station platform, or upon or in any car, or on board any vessel, or at any other place within the city or within one mile of the limits thereof in a greater quantity than fifty pounds for a longer period than is necessary to load and unload same; which time shall not exceed twelve hours; Provided, however, that where special or unusual circumstances are shown to exist, which prevent the loading or unloading of such explosives within the period of twelve hours, the fire marshal may, by special permit to be issued by him in writing, extend such time for the loading or unloading an additional twelve hours.

**966. Explosives kept in violation of this chapter to be seized.]** If it shall be found that any gunpowder, guncotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or other high explosives of similar nature, or percussion caps, or primers are being kept in any building, structure, or premises, or in any vehicle or on board of any vessel within the city in violation of any of the provisions of this chapter, any such explosives, shells, cartridges, percussion caps, or primers so kept shall be immediately seized and removed to such place as the fire marshal may direct; and it is hereby made the duty of the members of the police department to assist in making such seizure when requested so to do by the fire marshal, and to assist in the removal of such explosives to such place as may be designated by him.

**967. Manufacture of explosives.]** It shall be unlawful for any

person or corporation to manufacture anywhere within the city any gunpowder, guncotton, giant powder, dynamite, nitroglycerine, fulminate of mercury, or other high explosives of similar nature, under a penalty of not less than fifty dollars nor more than two hundred dollars for each offense, and every day upon which any such explosives are manufactured in the city in violation of any of the provisions of this chapter shall constitute a separate and distinct offense.

**968. Penalty.]** Any person or corporation violating any of the provisions of this chapter shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense, and each and every day upon which any person or corporation shall violate any of the provisions of this chapter shall constitute a separate and distinct offense.

## CHAPTER XXXI.

### HARBOR, HARBOR MASTER, BRIDGES, WHARVES, AND VESSELS.

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#### ARTICLE I.

##### HARBOR AND HARBOR MASTER.

**969. Definitions.]** The harbor shall consist of the Chicago river and its branches to their respective sources, the Ogden canal, all slips adjacent to and connecting with the Chicago river, the Calumet river and all slips connecting therewith, the drainage canal, all piers and basins, and the waters of Lake Michigan, including all breakwaters, piers and permanent structures therein for a distance of three miles from the shore between the north and south lines of the city extended. The harbor as herein defined shall be subject to the control of the harbor master, under the supervision and according to the directions of the commissioner of public works, and the use thereof shall be governed by the ordinances of the city. The words "vessels," "crafts" and "floats" shall be deemed to include every kind of sailing, steam or other vessel lying or floating in, or navigating, the harbor.

**970. Office of harbor master created—assistants—bridge tenders.]** There shall be appointed by the mayor, by and with the advice and consent of the city council, one person to be harbor master, and one person to be vessel dispatcher, for the port of Chicago. There shall be appointed according to law such assistant harbor masters and assistant vessel dispatchers as the city council may by ordinance provide, who shall perform such duties as may be prescribed by the city council. The harbor master, and the vessel dispatcher, shall wear such uniform as the police department has adopted or may adopt as the uniform of a lieutenant of police. The assistant harbor masters, and the assistant vessel dispatchers, shall wear such uniform as the police department has adopted or may adopt as the uniform of a patrol sergeant of police. There shall also be appointed by the mayor, by and with the advice and consent of the city council, such number of bridge tenders as the city council shall by ordinance provide. There shall also be such number of harbor police as assistants to the harbor master, and bridge telephone operators as assistants to the vessel dispatcher, as may be provided for by the city council.

**971. Bonds.]** Each of the officers or employees provided for herein, to be appointed by the mayor, by and with the advice and consent of the city council, shall execute a bond to the city in the sum of five thousand dollars, with sureties to be approved by the city council, conditioned for the faithful performance of the duties of his office.

**972. Office—office hours.]** It shall be the duty of the harbor master, to keep an office in such place as the commissioner of public works shall designate, where at all times during the season of navigation he can be found, or where orders can be left and receive prompt attention.

**973. Subject to commissioner of public works.]** The vessel dispatchers, harbor masters, river police, and bridge tenders shall be under the direction of the commissioner of public works, and shall perform such duties as may be prescribed for them by the rules and regulations of said department of public works and the ordinances of the city.

**974. Record of damages—reports.]** The harbor masters and vessel dispatchers shall keep an accurate account and record of each case of damages to bridges, docks and all other city property pertaining to the harbor, occurring by any violation of the provisions of any ordinance by any person, vessel, craft or float, the name of such vessel, craft or float, the owner, master, or consignee thereof, and shall gather all evidence and information in their power concerning any such violation; and also keep an accurate record of the amount of such damage, when, to whom, and how paid, and an account of all claims against the city made by vessel owners or persons navigating the harbor, for damages sustained in said harbor to vessels or other craft, and make a detailed report thereof to the commissioner of public works.

Bridge tenders shall make a report of all accidents and damages at their respective bridges, a copy of which shall be sent to the superintendent of bridges, city bridge engineer, and harbor engineer.

The vessel dispatcher shall also keep an accurate account and record of the movements of all vessels navigating the harbor, and issue all necessary instructions regarding the movements of said vessels.

**975. Police powers.]** The harbor master and the assistant harbor masters shall be sworn in as special policemen by the superintendent of police, for the purpose of carrying more readily into effect the police regulations of the city concerning the harbor under their charge and to preserve the public peace and quiet in and about the harbor, and for such purposes shall have all the power and authority of police officers under the laws of the state and the ordinances of the city.

**976. City life boats—custody.]** The harbor master shall have charge of and be responsible for the safe keeping of the city life boats

and any other property which may be placed in his charge by the city council or the department of public works.

**977. Craft fouled—assistance—penalty.]** If any steamboat, vessel or other craft by winding or other cause shall get foul and obstruct the navigation or passage of other boats or crafts the harbor master shall have power and is hereby authorized to order to his assistance men and tackle from any other boat or craft. The harbor master shall have power and is hereby authorized to order to his assistance any tug boat or other steam craft that may be in the vicinity or passing at the time. Every master or officer of such boat, craft, or tug shall render the assistance so ordered, and any steamboat, vessel, or other craft or float receiving such assistance shall pay to the person or persons rendering the same the cost or expense of such assistance, the amount thereof to be fixed by the harbor master.

Any person violating any of the provisions of this section shall be fined not less than twenty-five dollars nor more than fifty dollars for the first offense, and not more than seventy-five dollars for each and every subsequent offense.

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## ARTICLE II.

### BRIDGES.

**978. Bridges—control.]** All bridges crossing the Chicago river or any of its branches, the Calumet river, or drainage canal, within the harbor of the city, including railroad bridges, shall be under the control of the harbor master, and he shall have power to order the opening and closing of the same at any time when in his judgment it is necessary to carry out the provisions of this chapter. Any bridge tender or other person in charge of any bridge within the city, who shall violate any provision of this section, shall be fined not less than ten dollars nor more than one hundred dollars and, on conviction, shall be immediately removed from office; Provided, however, that in all matters pertaining to the opening or closing of bridges the harbor master shall conform to all ordinances now in force or which may hereafter be passed regulating the opening and closing of bridges.

**979. Bridge closed—hours.]** No bridge within the city excepting on Sundays, shall be opened during the times herein specified:

1. Across the main river and across the south branch of the Chicago river, from its junction with the main river and as far south as Twelfth street, including the latter, and across the north branch of

the Chicago river at Kinzie street, between the hours of six and eight o'clock in the morning and five and seven o'clock in the evening.

2. Across the north branch of the Chicago river, from Kinzie street, exclusive, to Halsted street, inclusive, and across the south branch of the Chicago river, from Twelfth street, exclusive, to Halsted street, inclusive, between the hours of six and seven o'clock in the morning and half-past five and half-past six in the evening.

3. All other bridges between the hours of six and seven o'clock in the morning and six and seven o'clock in the evening.

The provisions of this section are not to apply to "low" bridges or those under which tugs cannot pass.

**980. Time to remain open.]** During the hours between six o'clock in the morning and twelve o'clock midnight, it shall be unlawful to keep open any bridge within the city for the purpose of permitting vessels to pass through the same, for a longer period, at any one time, than ten minutes, at the expiration of which period it shall be the duty of the bridge tender or other person in charge of the bridge to display the proper signal and immediately close such bridge and keep it closed for fully ten minutes for such persons, teams, or vehicles as may be in waiting to pass over, if so much time shall be required, when the said bridge shall again be opened (if necessary for vessels to pass) for a like period, and so on alternately (if necessary) during the hours last aforesaid; and in every instance where any such bridge shall be opened for the passage of any vessel, and closed before the expiration of ten minutes from the time of opening, said bridge shall then, in every such case, remain closed for fully ten minutes, if necessary, in order to allow all persons, teams, and vehicles in waiting to pass over said bridge; Provided, this section shall not be construed as being in conflict with section 979, nor as requiring the opening of the bridges during the time specified in said section for the same to remain closed; Provided, however, that all vessels having passed through State street bridge going out previous to closing the bridges for two hours, morning and evening, be permitted to pass through Rush street bridge out to the lake.

**981. Fire apparatus crossing.]** Whenever, at any alarm of fire, any fire engine, hose cart, or other fire apparatus shall approach any bridge, for the purpose of crossing the same toward such fire, the bridge tender shall, if such bridge is open, close the same as soon as practicable; or if closed, and after the same is closed, keep it closed, until such engine, hose cart or other fire apparatus shall have had an opportunity to pass over said bridge, notwithstanding vessels may thereby be delayed, under a penalty for a failure to comply with this section of not less than ten dollars nor more than one hundred dollars for each offense.

**982. Driving on after signal—penalty.]** Any person who shall



drive or attempt to drive any team, wagon, dray, automobile, or other vehicle on or across any bridge in the city while the same is opening or shutting, or after the signal is given by the bridge tender for the opening thereof and before the opening is begun, or shall disobey or resist the tender thereof in his efforts to keep and promote order and equal convenience among those crossing such bridge shall, for every offense, be fined not less than five dollars nor more than twenty-five dollars.

**983. Driving on faster than walk—penalty.]** No person shall ride, lead, or drive any wagon, carriage, dray, cart, automobile, or other vehicle or conveyance, nor any horse, mare, ox, or other animal, on or across any of the bridges within the city at a faster gait or pace than three miles per hour; any person who shall be guilty of a violation of this section shall, for each offense, be fined not less than five dollars.

**984. Drove of cattle limited.]** No person shall drive or assist in driving on or across any of the bridges within the city, to exceed eight head of cattle or horses, at any one time, in a drove; any person violating the provisions of this section shall be fined for each offense, not less than five dollars.

**985. Unnecessary delay.]** If any person shall unnecessarily or wilfully remain or stop with any team or teams, horses, oxen, wagon, sleigh, sled, or any other vehicle whatever, upon any of the bridges within the city, or in and upon the approaches to any such bridge, such person shall be fined not less than five dollars for each offense.

**986. Rule of the road.]** It shall be the duty of all drivers or persons in charge of any wagon, dray, carriage, automobile, or vehicle of any kind to keep to the right when crossing any bridge in the city.

**987. Order of crossing.]** When a bridge has been opened and closed, the teams and vehicles shall cross in the following order, to-wit: Those occupying the street upon which the bridge is situated shall cross first; those occupying the cross streets, and upon the left hand side of the bridge, looking from such bridge toward such cross street, shall cross next, and those occupying the cross streets, and upon the right hand side of the bridge, looking from such bridge toward such cross street, shall cross next.

**988. Breaking line—penalty.]** No person driving or in charge of any vehicle shall cross or attempt to cross, or break into, the line of teams or vehicles while crossing or attempting to cross any bridge, nor shall any person disobey or resist any officer in charge of any bridge or crossing within the city, and whoever shall violate any of the provisions of this, or either of the two foregoing sections, shall be fined not less than five or more than twenty-five dollars.

**989. Obstruction—penalty.]** No person shall form part of any assembly or crowd on any of the bridges of this city, or the approaches

leading to the same, so as to obstruct in any manner the passage of foot passengers, teams, carriages, or persons across the same, or be and remain upon any of the sidewalks or main passages of any of the bridges of this city, longer than is necessary to pass over the same, under a penalty of five dollars for every such offense.

**990. Processions—break step—penalty.]** No band of musicians shall play or beat time, or keep step with each other, while they or any procession, or body of persons marching with them, or any portion thereof, are upon or crossing any bridge in this city, nor shall any procession or body of persons keep step with each other while marching upon or crossing any such bridge, under a penalty, upon the leader or director of such band, and upon the leader or officers of such processions, of not less than five dollars nor more than twenty-five dollars for each offense.

**991. Bridge tender—penalty.]** Any bridge tender or other person in charge of any bridge within the city, who shall violate any provision of this article, shall be fined not less than twenty-five dollars nor more than one hundred dollars, and on conviction shall be immediately removed from office.

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### ARTICLE III.

#### VESSELS.

**992. Vessel signals.]** The commissioner of public works is hereby required to provide and maintain at the several bridges over the Chicago river and its branches and the Calumet river, in the best and most practicable manner, vessel signals as required by this article.

**993. Signals prescribed.]** Each signal shall be a ball of suitable material of red color for use in the day time, and shall be not less than twenty-four inches in diameter. The signal for the night time shall be a red lantern of such size and so placed and arranged when elevated, as to be easily seen up and down the river and the street.

Such signals shall be elevated when upon the approach of any vessel, such vessel having signaled for the bridge, the bridge tender for any reason cannot open such bridge, and the same shall remain elevated until the bridge can be opened.

Provided also that after any bridge has been open for the purpose of permitting vessels to pass through, the proper signal shall be elevated before the bridge is closed and be kept elevated for fully ten minutes for such persons, teams, or vehicles as may be in waiting to pass over, if so much time shall be required when such signals shall be lowered.

At all other times such signals shall remain lowered.

**994. Duty of vessels—penalty.]** It shall be unlawful for the owner, officer, or other person in charge of any vessel in transit upon the Chicago river and its branches, or the Calumet river or any part thereof, to attempt to navigate any such vessel past any of the bridges over said river or branches while said signals are elevated, or while the said bridges or any of them may be opening or closing.

Any person who shall violate any provision of this section shall be fined not less than ten dollars nor more than fifty dollars for each offense.

**995. Signals to bridge tenders—size of whistles—penalty.]** Every owner, officer or person in charge of any vessel passing up or down upon the Chicago river, or any of its branches, or Calumet river shall sound or cause to be sounded a steam whistle to signal bridge tenders to open and swing bridges and such signal shall be three sharp, short sounds of the whistle, to be given in succession as quickly as possible and not to be prolonged, and the whistle used for this purpose shall be of suitable size to be heard.

Any person violating or failing to comply with any provision of this section shall be punished by a fine of not less than five nor more than one hundred dollars for each offense.

**996. Steamboat whistles—penalty.]** No person shall blow or cause to be blown the steam whistle of any steamboat, wharf-boat, tug or other boat, for any purpose whatever, while lying at anchor at any wharf or dock in said city, or when approaching or leaving such wharf or dock, or when passing through any drawbridge in said city, from the time such boat shall have entered the approach to such bridge, until it shall have passed through said drawbridge and beyond the opposite approach, and when running in the Chicago river or any of its branches in said city, except when absolutely necessary as a signal of danger and in cases and under circumstances prescribed by the laws and regulations of the United States and the ordinances of the city.

Every person violating or failing to comply with the provisions of this section shall be punished by a fine of not less than five dollars nor more than one hundred dollars for each offense.

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#### ARTICLE IV.

##### WHARVES.

**997. Wharves and docks.]** Every owner, lessee, or person in possession of premises abutting on the harbor shall at all times keep the wharves and docks on such premises in good repair and safe con-

dition. Every person violating or failing to comply with any provision of this section shall be fined not less than twenty dollars nor more than fifty dollars for every day such violation or failure to comply shall continue. The harbor master shall notify such owner, lessee, or person in possession that he will be held liable for all damage occasioned to person or property by reason of such unsafe condition of such wharves and docks.

**998. Dock construction—repairing.]** It shall be the duty of the harbor master to require all persons who may be engaged in repairing, renewing, altering or constructing any dock within the city to produce a permit from the department of public works, which permit shall specify the character and location of such repairing, renewal, alteration or construction, and in default of the production of such permit the harbor master shall at once stop all work on such dock, and shall cause the arrest of any such persons engaged in such unlawful repairing, renewal, alteration and construction. Any such person so arrested shall be fined not less than fifty dollars nor more than one hundred dollars for each offense. In the event of any such dock having been repaired, renewed, altered or constructed in or upon the water area of the harbor of the city, the person thus convicted of a violation of this section, in addition to the fine hereinbefore specified, shall be required at once, and at his own expense or cost, to remove such dock back to its former location; and, in default of such removal of such dock, the commissioner of public works is hereby authorized to cause such dock to be removed to such location as he deems best and to recover, from the person so convicted, the cost or expense of such removal.

**999. Pile driving—encroachment on harbor lines.]** No person shall drive or place, or cause to be driven or placed, any pile or piles, stone, timber, earth or other obstruction of any kind whatsoever, in the harbor of the city, or build, construct or repair any dock therein, or build or cause to be built any bridge or other structure across the Chicago river or any of its branches or across the Calumet river, or drive or place or cause to be driven or placed any pile or piles or timber or make any excavation for the purpose of furnishing or laying foundations for any building or structure at any point within forty feet of any part of the harbor, without permission in writing from the commissioner of public works so to do. Any person desiring to drive or place any pile or piles, stone, timber, earth or other obstruction, or build, construct or repair any dock, in the harbor, or to build any bridge or other structure across the Chicago river or any of its branches or across the Calumet river, or to drive or place any pile or piles or make any excavation for the purpose of furnishing or laying foundations for any building or structure, within forty feet of the harbor, shall make application in writing for permission

so to do to the commissioner of public works, furnishing with such application a sketch or plat showing the nature of the work desired to be done, and upon such application being made and such sketch or plat being furnished as herein required, the commissioner of public works shall issue the permit desired, unless it shall appear that the work desired to be done will result in unduly obstructing the harbor or in endangering the safety of any dock, pier, break-water or other structure located upon or along the harbor. Any person who shall violate any of the provisions of this section shall be fined not less than twenty-five nor more than one hundred dollars for each offense, and each and every day on which any such person who shall have violated any of the provisions of this section by driving or placing any pile or piles, stone, timber, earth or other obstruction in the harbor, or by building, constructing, altering or repairing any dock, or by building any bridge or other structure across the Chicago river or any of its branches or across the Calumet river, or by driving or placing any pile or piles or making any excavation as hereinbefore described, within forty feet of the harbor, shall permit or allow any such pile or piles, stone, timber, earth, or other obstruction to remain in the harbor, or any such bridge or other structure to remain across the Chicago river or any of its branches or across the Calumet river, or any such dock to remain in the harbor, or any such pile placed or excavation made within forty feet of the harbor to remain so placed or made after the first offense, shall constitute a separate and distinct offense.

**1000. Duty of harbor master to report encroachments.]** It shall be the duty of the harbor master to report to the city engineer any and all encroachments upon the harbor lines as now established or which may hereafter be established, and thereupon the said harbor master and city engineer shall take such action as may be necessary to enforce the provisions of this article and to remove or cause to be removed any such obstruction or encroachment. If it shall be found that any pile, stone, timber, earth, dock, bridge, or other obstruction whatever, has been placed in any part of the harbor in violation of the provisions of this chapter and that the person who has placed or caused the same to be placed therein refuses or neglects to remove such obstruction upon being requested so to do by the harbor master, city engineer, or commissioner of public works, the harbor master, city engineer, and commissioner of public works, or either of them, shall have the power, and it is hereby made their duty, to proceed forthwith to remove such obstruction and to charge the expense of such removal to the person who placed or caused to be placed such obstruction in the harbor, and the imposition of any fine or penalty hereby provided for against any person obstructing the harbor shall not be held to exempt any such person from a recovery by the city of the cost of removing any such obstruction.

**1001. Cargo—discharge.]** Any owner, lessee or person in possession of any wharf or dock at which any vessel shall have been discharging its cargo, who shall suffer or permit any part of such cargo so discharged to project from such wharf or dock over or into the harbor after the vessel so unloaded shall have removed from such wharf or dock shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

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## ARTICLE V.

### SANITARY REGULATIONS OF HARBOR.

**1002. Befouling stream—dredging—penalty.]** No person shall cast or deposit, or suffer to be cast or deposited in the harbor of the city or anywhere in Lake Michigan within five miles of the harbor, any earth, ashes or other heavy substance or substances, filth, logs or floating matter, or any obstructions. No tug owner or captain or other person in charge or command of a tug shall tow, inside the harbor, any dumping scow or like vessel, with or without a collapsible or adjustable bottom, loaded with clay, earth, ashes, filth or other substance or substances, unless there is on board at the time of such towing an inspector from the department of public works. It shall be unlawful for any dredge or other machine to cut clay or dredge sand or other material from the bed or bottom of the harbor of the city, unless the person present conducting such work have in his possession a permit in writing from the department of public works, in which permit the location and time occupied in such work shall be specified, and such person conducting such work shall produce such permit on demand of the harbor master or any of his assistants. It shall be the duty of the harbor master to cause the arrest of any person in charge of any tug, scow, or dredge who violates any of the provisions of this section, and such person shall be fined not less than fifty dollars nor more than one hundred dollars for every such offense.

**1003. Garbage in lake, or river—penalty.]** No person shall throw, place or deposit, or cause to be thrown, placed or deposited any garbage, vegetable matter, dung, carrion, dead animal, offal or putrid or unwholesome substance, or the contents of any privy, upon the margin or banks, or into the waters of the harbor.

Any person who violates, or fails to comply with, any of the provisions of this section shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

**1004. River, lake—refuse matter—penalty.]** Any distiller, tan-

ner, brewer, butcher, pork or beef packer, soap boiler, tallow chandler, dyer, livery stable keeper, or other person whatsoever who shall cause or suffer any offal, manure, rubbish, filth, still slops, or any refuse animal or vegetable matter, or any foul or nauseous liquid to be discharged out of or flow from any premises owned or occupied by him, or to be thrown into, deposited or left in the harbor, shall be fined not less than twenty-five dollars and not more than one hundred dollars for each offense.

**1005. Refuse in river, slip, or sewer—penalty.]** No person or corporation being a manufacturer of gas, or engaged about the manufacture thereof, shall throw or deposit or allow to run, or permit to be thrown or deposited into the harbor, or into any sewer therewith connected, any gas-tar or any refuse matter of or from any gas house, works, or manufactory.

Any person who violates, or fails to comply with any provision of this section shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

**1006. Contents of privy, etc., in lake or river—penalty.]** No person shall throw, drop or permit to fall into the harbor, any offal, or any unwholesome substance being or having been part of the contents of any vault, cesspool, catchbasin, privy, sink, tub, or receptacle.

Any person who violates, or fails to comply with any provision of this section shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

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## ARTICLE VI.

### MISCELLANEOUS PROVISIONS.

**1007. Obstruction of river—penalty.]** Every pile, timber or stone or other substance placed or laid so as to project above or below the surface of the waters of the harbor or any part thereof or beyond any dock line established by the city council, is hereby declared a nuisance; and every person who shall place or lay any such pile, timber, stone, or substance as aforesaid, or be the owner of any premises on which the same shall be so placed or laid, shall be fined not less than twenty dollars and not more than one hundred dollars for every violation hereof, and shall also be subject to a penalty of twenty dollars and not exceeding one hundred dollars for every three days such nuisance shall continue after notice from the harbor master to abate same.

**1008. Lumber raft—obstruction—penalty.]** Any person having in charge any raft of lumber, logs, or timber, who shall refuse or neglect

to comply with the orders of the harbor master, relative to the change of location or removal of the same, shall be fined not more than fifty dollars for each offense. Any owner, master or officer of any tug, propeller or steamboat leaving any such raft of lumber, logs, or timber within the harbor, where the same shall be or become an obstruction to commerce, shall be fined not more than one hundred dollars for each offense.

**1009. Removal of vessel—tying up.]** The harbor master shall have the power to remove any vessel, craft, or float, while lying at any dock, wharf, or pier, while receiving or discharging cargo or otherwise engaged, when it is necessary so to do to facilitate the movements of other vessels, crafts, or floats; he shall also have power, when a vessel is so deeply loaded as to interrupt the traffic at the bridges or in the harbor, to tie up such vessel until such time as such vessel shall have been lightened or a rise of water in the river may enable her to proceed; also to stop at any time or place such vessels, crafts, or floats as may be proceeding up or down the river, so as to prevent a jam or blockade.

**1010. Power over vessels—refusal to obey—penalty.]** Whenever there shall be in the harbor any vessel, craft, or float insecurely fastened, adrift, sunken, or laid up, which may be required to be fastened, raised, removed, or its location changed, for the benefit of other vessels navigating the river or to carry out the provisions of the preceding section, the harbor master shall notify the owner, master, or other person who may be in charge thereof to secure, raise, or remove such vessel, craft, or float without delay. But if the harbor master should be unable to find the master, owner, or person in charge of such vessel, craft, or floats as aforesaid, or if no person answering such description can be found by him, such notice shall not be required, and the harbor master shall remove such vessel and such vessel shall be held for all expenses and costs, and any person who shall refuse or neglect to comply with such order or direction shall be fined not more than one hundred dollars for each offense.

**1011. Removals, etc., at expense of owner—penalty.]** If any vessel, craft or float shall not be secured, removed or its location changed in compliance with the direction of the harbor master after notice, or if the harbor master shall be unable to serve such notice, as aforesaid, in either case he shall cause such vessel, craft or float to be secured, raised, removed or its location changed as aforesaid, employing such assistance as may be necessary for the purpose. All expenses which may be incurred in any case shall be recoverable of the owner, consignee, master or other person having charge of such vessel, craft, or float. If any person shall resist the harbor master, or any person acting under him, in the execution of any duty imposed upon him by this article, such person so resisting shall be fined not less than ten dollars and not more than one hundred dollars for each offense.



**1012. Locate vessels—penalty.]** The harbor master shall give such orders and directions relative to the location, change of place or station, manner of moving or use of the harbor of or by every vessel, craft or float lying, moving, or laid up in the harbor, as may be necessary to promote good order therein and the safety and equal convenience of such vessels, crafts or floats, and to so regulate the same that the current in the Chicago river shall not be unnecessarily impeded by said vessels, crafts or floats.

It shall be unlawful for any mud scow, flat boat, dredge, or any such crafts to be placed or laid along side of another while lying at any of the docks or wharves of the harbor during the navigable season of the year, without first having obtained permission from the harbor master. Any owner, master, or other person having charge of any such vessel, craft, float, mud scow, flat boat, dredge or other such craft who shall refuse or neglect to obey any such order or direction, shall be fined not more than twenty-five dollars for each offense.

**1013. Vessel blocking passage—injury to bridge—penalty.]** No vessel, craft, or float shall be moored or anchored within the harbor so as to prevent the passage of any other vessel, craft, or float; nor shall any vessel, craft, or float be so moored as to range against, injure, interfere with, or hinder the opening or closing of any bridge across the river, or any branch thereof, under a penalty of not less than ten dollars, nor exceeding one hundred dollars, to be recovered from the master, owner, or person in charge thereof, for each offense.

**1014. Speed at bridges—forbidden anchorage—penalty.]** All vessels, craft, or floats navigating the harbor, when passing any bridge, shall be moved past the same as expeditiously as is consistent with a proper movement in the harbor, but in no case shall any vessel, craft, or float, while passing any bridge, and obstructing the passage across such bridge, move at a rate of speed less than two miles per hour; and no vessel, craft, or float shall be so anchored or fastened as to prevent any bridge from a free and speedy opening, or any vessel from a free and direct passage, nor shall any line or fastening be so thrown, laid, or made fast as to cross the track of any bridge or vessel, under a penalty of not more than twenty-five dollars for each offense, to be recovered from the master or other person having charge of such vessel, craft, or float.

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## ARTICLE VII.

### RULES OF NAVIGATION.

**1015. Vessels to be governed by.]** All vessels, craft or floats lying

in or navigating the harbor shall be respectively governed by the following further provisions:

1. Every vessel using steam shall have its smoke pipe or pipes so constructed and managed as to prevent sparks or coals of fire escaping therefrom, and shall be moved slowly at a speed not exceeding four miles per hour under a low head of steam. Every tug boat or steam vessel used chiefly for towing shall have a joint in its smoke pipe or pipes, and shall be constructed in all respects in such a manner as to be able to pass under any bridge which is not less than thirteen feet above the surface of the water.

2. No master or other person owning or having charge of any vessel, craft, or float shall leave the same in the harbor without having on board or in charge thereof some competent person to control, manage, and secure the same, without first obtaining permission of the harbor master.

3. All vessels, craft, or floats, whether using steam or otherwise, while lying in the harbor, shall have and keep their anchors on board, and their lower yards cock-billed, and the upper yards braced up sharp.

They shall likewise have and keep out on board during the night time a conspicuous white light, and shall have extinguished or safely secured at dark all fires which may be kept on board.

4. No vessel, craft, or float shall be suffered to lie in the harbor adrift or insecurely fastened.

5. Vessels moving with the current shall have the right of way.

6. In case one vessel desires to pass another going in the same direction on the Chicago river or any of its branches the pilot of the vessel astern shall give the proper signal, indicating the side upon which he wishes to pass. Upon the pilot of one vessel astern of another giving such signal, the pilot of the vessel ahead shall immediately answer by giving the same signal; but if he does not think it safe for the vessel astern to attempt to pass at that point he shall immediately signify the same by giving several short and rapid blasts of the whistle, and under no circumstances shall the steamer astern attempt to pass the steamer ahead until such time as they have reached a point where it can be safely done, when such vessel ahead shall signify her willingness by blowing the proper signals and the vessel astern shall pass the overtaken vessel, giving the overtaken vessel as wide a berth as possible.

7. The vessel dispatcher shall keep a record of the movements of all vessels and through the bridge telephone operators give such directions to the bridge tenders or persons in charge of the bridges in regard to the opening of bridges that the provisions of this article may be carried out.

8. Vessels exceeding two hundred tons navigating the Chicago

harbor shall not proceed at a speed greater than four miles per hour.

**1016. Steam tug for sailing vessels—penalty.]** All vessels, craft, or floats not propelled by steam, navigating the harbor, for which the opening of any bridge may be necessary, shall, while approaching and passing such bridge, be towed by a steam tug. Any person owning or in charge, possession, or control of any such vessel, craft, or float, who shall navigate or cause to be navigated such vessel, craft, or float in the harbor in violation of any of the provisions of this section, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

**1017. Improvement of harbor—hindrance—penalty.]** If any owner, master, or other person in charge of or in command of any tug boat or towing boat in the harbor shall run, or cause to be run, such tug boat or towing boat, or anything that they may have in tow, upon, against, or over any rope, chain, or other fastening, mooring, dredge or other machine used by said city, or the United States government, for deepening, widening, and improving said harbor so that the said dredge or other machine shall be displaced, hindered, or delayed in the working thereof, such person so offending shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

**1018. Limit of towage—danger signal—speed in passing—penalty.]** It shall be unlawful for any steamboat, steam tug, or steam canal boat to tow more than two barges or similar vessels in one tow within the harbor. All docks, wharves, bridges, piers, protections, or other place where person or property is in danger by the fast moving of steamboats or tugs shall have a blue flag flying in the most conspicuous place thereon and as near the point of danger as possible, so as to be seen from up or down the river, and at night a blue light shall take the place of such flag; and any owner, master, or other person in charge of any steamboat or tug running or causing to be run any steamboat or tug past such blue signal faster than at the rate of two miles per hour, or violating any other provision of this section, shall be fined not less than twenty-five dollars nor more than fifty dollars for each offense, and shall be held liable for any damage to person or property sustained by reason of such violation.

**1019. Steam vessel—working engine—penalty.]** No steam vessel while lying in the harbor or along the wharves or docks of the same shall work its engines; Provided that owners, masters, or other persons in charge of boats fitting out and desirous of working and testing their engine shall, before working or testing such engine, station some person in such a place or position so as to signal the engineer to stop such engine; such engine shall be kept from working until all approaching vessels, crafts, or floats shall have passed the wheel of said boat or boats by a distance of two hundred feet. This shall not apply to cases of fire. Any person violating any provision of

this section shall be fined not less than twenty nor more than fifty dollars for each and every offense; and shall also be liable for any damage to persons or property sustained by reason of such violation.

**1020. Anchor dragging—vessel moved to bridge before opening—penalty.]** All vessels, craft, or floats while navigating the harbor whether using steam or otherwise, are expressly prohibited from dragging their anchors. All tugs engaged in towing vessels or craft in the harbor are hereby prohibited from towing any vessel or craft of any description while its anchor or anchors are dragging on the bottom of said harbor. The master, owner, or person in control of any such vessel operated in violation of any of the provisions of this section shall be fined not less than fifty dollars nor more than one hundred dollars for each offense.

Whenever any person having charge of any vessel, craft, or float shall wish to move the same past any bridge, reasonable time shall be allowed for the opening of such bridge, and any person who shall move any vessel, craft, or float against any bridge before the same shall be opened, to the injury thereof, shall be fined not more than two hundred dollars for each offense and be, likewise, answerable to the city of Chicago for damages.

**1021. Penalty.]** Any master, owner or person in possession, charge or control of any vessel, craft or float navigating or lying in the harbor, or any other person who shall violate any of the provisions of this chapter, shall be fined not less than twenty-five nor more than one hundred dollars for each offense.

**1022. Federal rules and regulations.]** Rules and regulations relating to the anchorage and movement of vessels in the port of Chicago, prescribed by the secretary of the treasury, July 9, 1896, and amended May 27, 1902. Vessels shall anchor within the following specified limits:

1. United States exterior breakwater anchorage, within lines running from Chicago pierhead light on north pier, Chicago river, to the easterly and westerly ends of exterior breakwater, and a line parallel to said breakwater, two thousand feet southwesterly from the same.

2. Anchorage grounds in the interior breakwater of basin. Vessels shall anchor west of a line drawn south from the east side of the light house slip and south of a line drawn east from the United States dock line of the east limit of the proposed park at a distance of three hundred feet south of the Randolph street pier, and north of a line drawn east from Van Buren street, and south of a line drawn west from the north end of the southerly breakwater (east entrance of Van Buren street gap) and not within one hundred feet of the southerly breakwater.

3. Yachts and small excursion vessels may place buoys and lie at

anchor within a line drawn south from the end of the government pier projecting eastward adjacent to the life-saving station at the north entrance of the Chicago interior breakwater or basin, and south of a line drawn east of the United States dock line east limit of proposed park, at a distance of three hundred feet south of Randolph street pier, and north of a line drawn east from Van Buren street and not within fifty feet of the east limit of proposed park.

4. No anchoring or placing of buoys will be permitted in said breakwater or basin outside of the limits defined in Rule 3.

5. Steamers and steamers with tows are prohibited from using as a channelway the grounds set apart in Rule 3 for the anchorage of yachts and small excursion vessels.

#### GENERAL REGULATIONS.

No vessels shall anchor within one hundred feet of any United States pier or breakwater.

Nothing in these regulations shall be held to prevent any vessel in stress of weather, or in great emergency, from anchoring anywhere that may seem necessary for safety at the time, but the revenue-cutter officer charged with the enforcement of these regulations shall be the judge as to when such emergency shall have terminated.

The commanding officer of the revenue-cutter at the port of Chicago is charged with the enforcement of these rules and regulations, and is empowered:

1. To remove from her anchorage any vessel not anchored within the limits hereby prescribed.

2. To require, when he may deem it advisable, vessels to moor head and stern.

3. To assign vessels to such part of the anchorage grounds as is suitable to their draft.

4. To assume such general direction of the movement of vessels in the inshore channels as shall least obstruct navigation of the same.

5. To see that the acts of congress prohibiting the dumping of solids into navigable waters of the United States are complied with and enforced.

## CHAPTER XXXII.

### HEALTH.

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#### ARTICLE I.

##### DEPARTMENT OF HEALTH.

**1023. Health department established.]** There is hereby established an executive department of the municipal government of the city, which shall be known as the department of health, and shall embrace the commissioner of health, the city physician, and such other assistants and employes as the city council may by ordinance provide.

**1024. Office of commissioner created—qualification—appointment.]** There is hereby created the office of commissioner of health. He shall be the head of said department of health, and shall have the management and control of all matters and things pertaining thereto. He shall be a physician duly licensed to practice medicine and shall be appointed by the mayor, by and with the advice and consent of the city council.

**1025. Bond.]** Said commissioner, before entering upon the duties of his office, shall execute a bond to the city, in the sum of five thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**1026. Control and supervision.]** Said commissioner shall have and exercise a general supervision over the sanitary condition of the city; and all orders and directions emanating from said department shall be issued in the name of said commissioner.

**1027. Assistants and employes.]** Said commissioner shall appoint according to law an assistant commissioner of health, a secretary, a register of vital statistics, medical, meat and milk inspectors, disinfectors, bath and hospital attendants and sanitary policemen and sanitary police-women having full police powers, and such other employes as may be necessary, who shall perform all the duties now provided by the laws of the state and ordinances of the city, and such other duties as the said commissioner of health may require and determine. He shall also have power to remove according to law any of said officers, inspectors, clerks or employes.

**1028. Advice—contagious disease.]** The commissioner of health

shall give to the mayor and other city officials all such professional advice and information as they may require, with a view to the preservation of the public health; and whenever he shall hear of the existence of any contagious or epidemic disease, such as diphtheria, measles, membranous croup, puerperal fever, scarlet fever, smallpox, typhoid fever, whooping cough, etc., he shall investigate the same, and adopt measures to arrest its progress.

**1029. Duties.]** It shall be the duty of the commissioner of health to enforce all the laws of the state and ordinances of the city and all rules and regulations of the department of health, in relation to the sanitary condition of the city, and cause all nuisances to be abated with all reasonable promptness.

**1030. Powers.]** For the purpose of carrying out the requirements of this chapter, he shall be permitted at all times to enter into any house, store, stable or other building, and to cause the floors to be raised, if he shall deem it necessary, in order to make a thorough examination of cellars, vaults, sinks or drains; and to cause all privies to be cleaned and kept in good condition; and to cause all dead animals or other nauseous or unwholesome things or substances to be buried, removed or disposed of as he may direct.

**1031. Records and books.]** It shall be the duty of the commissioner of health to provide the necessary books for keeping a record of all transactions of said department, including the proper registration of births and deaths, and such other statistical information necessary for the efficient working of said department; and he shall also keep on hand all necessary blanks, to be used by physicians and midwives, and furnish them with the same on application.

**1032. Contagious disease.]** It shall be the further duty of the commissioner of health to visit and examine, or cause to have visited and examined, all sick persons who shall be reported to him as laboring, or supposed to be laboring, under smallpox, cholera, or any contagious or epidemic disease, and cause all such persons to be removed to the cholera, smallpox, or other hospitals, or to such other safe and proper place as he may think proper, not exceeding three miles from said city, and cause them to be provided with suitable nurses and medical attendance, at their own expense if they are able to pay for the same, but if not, then at the expense of the city.

**1033. Isolation—contagious or epidemic disease—posting notice—penalty.]** It shall be the duty of the commissioner of health to impose such restrictions upon, and to exercise such supervision over, all persons afflicted or sick with smallpox, scarlet fever, or any contagious or epidemic disease, as shall be necessary to protect from such disease all persons not of necessity connected with any person so afflicted or sick. To aid in securing the isolation of a person afflicted or sick with a contagious or epidemic disease, the commissioner of

health may cause a notice, printed or written in large letters, to be placed upon or near any house in which any such person may be, upon which notice shall be written or printed information setting forth the contagious or epidemic nature of the disease. If after any such notice shall be so posted any person shall deface, alter, mutilate or destroy, or tear down such notice, without permission of the commissioner of health, such person shall be fined not less than twenty-five dollars nor more than fifty dollars for each offense, and every occupant of any house or building upon which any such notice shall be so placed or posted as aforesaid shall be held responsible for the removal of the same.

**1034. City isolation hospital.]** The commissioner of health shall have charge of the city isolation hospital, and shall have power to employ such assistants and nurses as he may deem necessary, and it shall be his duty to see that such hospital is supplied with suitable furniture, nourishment, fuel and medicines, and that any person dying therein is properly and promptly buried. Any person dying at such hospital without sufficient means to defray his burial expenses shall be buried at the expense of the city under the supervision of the commissioner of health.

**1035. Power to make rules and regulations — epidemics — regulations concerning.]** The commissioner of health shall have power to make such rules and regulations in relation to the sanitary condition of the city and for the prevention and suppression of disease, not inconsistent with the provisions of this chapter, as he may deem necessary or advisable. Such rules or regulations shall not take effect and be in force until approved by the city council, except in cases of emergency as hereinafter provided for. In case of contagious or epidemic disease or of danger from anticipated or impending contagious or epidemic disease, or in case the sanitary condition of the city shall be of such a character as to warrant it, it shall be the duty of the commissioner of health to make such rules and regulations and to take such measures and to do and order to be done and cause to be done such acts for the preservation of the public health (though not herein or elsewhere or otherwise authorized) as he may in good faith believe and declare the public safety and health demand, and all such rules and regulations so declared by the commissioner of health to be emergency rules and regulations shall, as soon as may be after the promulgation of the same, be reported by the said commissioner to the city council for approval.

**1036. Penalty.]** Any person who shall violate, disobey or refuse to comply with any rule, order or sanitary regulation of the department of health made in conformity with the provisions of the preceding section, shall be fined not less than ten dollars nor more than two hundred dollars for each offense.



**1037. Disinfection of premises.]** He shall have power to cause any house or any premises to be cleansed, disinfected, or closed to visitors, and prevent persons from resorting thereto while any such house or premises contains any person laboring under any contagious or epidemic disease; he may, by an order in writing, direct any nuisance to be abated, or unwholesome matter or substance, dirt or filth, to be removed from any house or premises, and may prescribe the time and mode of doing so, and take any other measures he may deem necessary and proper to prevent the spread of any contagious or epidemic disease.

**1038. Anti-toxin—free treatment.]** The commissioner of health shall at all times keep on hand, so far as is practicable, a sufficient quantity of anti-toxin to permit of the treatment therewith of any and all persons who may apply to him for that purpose, and he shall, without charge, treat with anti-toxin any and all persons who may apply to him for such treatment, and who in his opinion require such treatment. (Note: See Supplement.)

**1039. Annual report—estimates.]** The commissioner of health shall annually, on or before the first day of May, send to the city council a statement of the work performed by his department during the preceding year, together with such other information and suggestions regarding his department as he shall deem proper to be submitted. He shall also have the authority to publish from time to time such statistics and information concerning the work of his department or relating to the health of the community, or methods and means of preventing or curing disease, as he shall deem proper to be published. Such statistics as are published shall, as soon thereafter as is practicable, be sent to the mayor and to each alderman and to such other persons as to such commissioner shall seem advisable. He shall also prepare and submit to the city comptroller, on or before the first day of February in each and every year, an estimate of the whole cost and expense of providing for and maintaining his department during the current fiscal year, which estimate shall be in detail and shall be laid by such comptroller before the city council with his annual estimate.

**1040. Police powers of commissioner, inspectors, etc.]** The commissioner of health, the assistant commissioner, the city physician, the secretary of the health department, and all physicians, employees, or inspectors who may be designated by the commissioner of health, shall have full police powers and shall have the right to arrest or cause to be arrested any person who violates any of the provisions of this chapter.

## ARTICLE II.

## ASSISTANT COMMISSIONER AND OTHER EMPLOYEES.

**1041. Duties of assistant.]** It shall be the duty of the assistant commissioner of health to attend at the health office, every day, except Sunday, to discharge the duty of seeing that a faithful record is kept of reports and other matters relating to the department of health; and in case of absence or sickness of the commissioner of health, or when directed by the mayor, he shall perform all the duties herein assigned to the commissioner of health.

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## ARTICLE III.

## CITY PHYSICIAN.

**1042. Office created.]** There is hereby created the office of city physician. He shall be appointed by the mayor by and with the advice and consent of the city council.

**1043. Bond.]** Said city physician shall before entering upon the duties of his office execute a bond to the city in the sum of five thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**1044. Ex-officio member of department.]** Said city physician shall be a member ex-officio of the department of health; Provided, however, that he shall not exercise any powers, or perform any duty as such member, except as is herein otherwise provided, beyond giving information to, and advising and consulting with the commissioner of health, when so requested.

**1045. Police cases—examination of.]** Said city physician shall, when directed by the superintendent of police or any police officer having charge thereof, visit any police station and examine and make provision for the care of all persons there found to be sick, injured or insane, and when directed by the superintendent of police or by any police officer having charge of any police station or by any police magistrate, he shall examine cases of rape or indecent assault and report the result of such examination to the person directing such examination.

**1046. City employes—examination of.]** Said city physician shall when directed by the proper authorities visit and examine employes of the city and report the physical conditions found, to the head of the proper department or bureau. He shall also when directed by

the proper authorities examine applicants for positions in the service of the city, applicants for pensions or for retirement from official service, and report the physical conditions found to the person or persons directing such examination.

**1047. Personal injury cases—examination of.]** Said city physician shall, when directed by the corporation counsel, city attorney, superintendent of police or a police officer having charge of any police station, visit, investigate and examine all cases of physical injury or illness claimed or alleged to result from defective streets, alleys, sidewalks and bridges or from any cause which might render the city liable for damages, and report the result of such visits, investigations and examinations to the person directing the same.

**1048. Juvenile court cases—examination of.]** Said city physician shall when directed by the judge of the juvenile court examine the physical condition of dependent or delinquent children and report the result of such examination in writing to the officer authorized by said court to receive the same.

**1049. Institutions to visit—report on.]** Said city physician shall make monthly visits to the House of Correction, the juvenile detention home, the Chicago City Infants' Hospital, the House of the Good Shepherd and the Chicago Erring Women's Refuge, and submit a report of the medical service of these institutions to the city comptroller at the end of each month, and all unsanitary conditions found to exist he shall report to the commissioner of health.

**1050. Reports—records.]** Said city physician shall transmit to the city council on the first day of each month a detailed report of the duties he has performed during the preceding month and shall keep a record of the performance of his official duties in a book provided for that purpose, and he shall annually on or before the first day of February send to the city comptroller a statement of all expenditures from appropriations for the maintenance of his office, together with an estimate in detail of the appropriations required for the maintenance of his office during the current fiscal year.

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#### ARTICLE IV.

##### AMBULANCES AND PHYSICIANS.

**1051. Right of way—permit.]** All ambulances and vehicles belonging to the health department, and all ambulances and vehicles belonging to incorporated hospitals recognized by the health department as being regular hospitals in the city, shall have the right of way in the streets of said city when conveying any patient or injured

person to any hospital in the city or when proceeding to the scene of any accident by which any person or persons have been injured; and any person refusing to yield the right of way, where it is possible, shall be fined not exceeding twenty-five dollars for each and every such offense.

Physicians having a permit, and who shall wear suitable badges to be procured from the city clerk, shall also have a like right of way for themselves and their vehicles in the streets, and shall be allowed, as soon as possible, to cross processions and other public gatherings and bridges, when answering calls for their professional services.

The mayor and city clerk are hereby authorized to issue, upon written application therefor, a proper permit to any duly registered physician or surgeon, residing or practicing in the city of Chicago, which permit shall not be transferable.

**1052. Certificate from state board of health.]** The mayor and city clerk, before issuing any such permit or badge, shall obtain from the state board of health a certified list of all regular practicing physicians, licensed by such board of health, and residing or practicing in the city, and such permit and badge above referred to shall only be issued to those physicians or surgeons who shall be so certified by the state board of health.

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## ARTICLE V.

### BIRTHS AND DEATHS.

**1053. Duty of physicians, etc.]** It shall be the duty of every physician or midwife who attends the birth of a child to report the same to the department of health within thirty days from the date of such birth. Such reports shall be made in writing on blank forms to be furnished by said department and shall give the name and date of birth of such child and such other information as said department shall require.

**1054. Report of death.]** It shall be the duty of every physician or midwife to make a written report to the department of health within twenty-four hours of the death of any of his or her patients, occurring within the corporate jurisdiction of said department of health; Provided, that if a coroner's inquest is called in respect of any such death, the report shall be made to said department of health by the coroner.

All such reports shall be made on blank forms to be furnished by said department of health and shall contain such information as said department of health shall require.

## ARTICLE VI.

## BURIAL OF THE DEAD.

**1055. Unlawful burials, removals, etc.—permits.]** Hereafter it shall be unlawful for any person to move any human body within or to remove any human body from the city, or bury any human body within said city, or cremate or deposit any human body in any vault within the city, without first obtaining a permit so to do from the commissioner of health or such subordinate officers as may be appointed by said commissioner in accordance with the provisions of this chapter.

## HUMAN BODY.

**1056. Human body exposed.]** No person shall retain, expose or allow to be retained or exposed the dead body of any human being, to the peril or prejudice of the life or health of any person.

**1057. Human body discovered.]** It shall be the duty of every person who has discovered or seen the body of a dead human being, or any part thereof (if there is reason for such person to think that the fact of the death or the place of such body or part thereof is not publicly known), to immediately communicate to the department of health the fact of such discovery, the place where, and time when, the same was discovered or seen and where the same is or may be found, and any facts known by which said body may be identified or the cause of death ascertained.

**1058. Penalty.]** Any person neglecting or refusing to comply with any of the provisions of any section of this article, or who violates any of the provisions thereof shall be fined not more than one hundred dollars for each offense.

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ARTICLE VII.

## BUILDING REGULATIONS.

**1059. Inspection of plumbing.]** It shall be the duty of the commissioner of health to cause an inspection to be made of all plumbing and other sanitary work in all buildings of any kind or description whatever, now erected, or in process of erection, and to compel the observance, in every particular, of all the provisions contained in chapter XLVIII. of this ordinance.

**1060. Improper use forbidden.]** No person shall cause or allow

any matter or thing to be, or to be done, in or about any building or structure, dangerous or prejudicial to health, and for the purpose of enforcing this chapter and chapter XLVIII. the commissioner of health may cause any building in the city to be inspected at any time.

**1061. Leasing unsanitary building.]** No owner, agent, lessee or person in possession, charge or control of any building or any part thereof shall lease or let the same, or any portion thereof, or allow the same to be occupied by any person as a dwelling or lodging-house unless such building or such parts thereof are in a clean and wholesome condition as provided in this article.

**1062. Roofs—drainage.]** The roof of every house shall be kept in good repair and so as not to leak, and all rain water shall be so drained or conveyed therefrom as to prevent its dripping on the ground, or causing dampness in the walls, yard or area.

**1063. Garbage chutes.]** It shall be unlawful to construct or use any garbage or ash chute in the city except of galvanized iron, and any garbage chute now in existence and use in the city shall be thoroughly cleaned, disinfected or repaired by the occupant, tenant or person in possession of the premises upon which it is located, within twenty-four hours at any time, upon notice from the commissioner of health and commissioner of public works so to do.

**1064. Lights in halls of tenements.]** In every tenement house over two stories high a proper light shall be kept burning in the public hallways near the stairs, upon the entrance floor and the floor above the entrance floor, every night during the year, from sunset to sunrise, and upon all other floors of the building from sunset until 10 o'clock in the evening.

**1065. Unsanitary building — nuisance.]** Any building or part thereof, which by reason of its unsanitary condition, or of its being infected with disease, is unfit for human habitation, or which from any other cause is a source of sickness among the inhabitants of this city, or which otherwise endangers the public health, is hereby declared to constitute a public nuisance.

**1066. Examination—notice to abate—demolition.]** It is hereby made the duty of the commissioner of health to cause an examination to be made of any building alleged to be a public nuisance for any of the foregoing reasons; such examination to be made by a board of survey, composed of one medical inspector, one sanitary inspector—both of whom shall be appointed by the commissioner of health from his regular force of inspectors—and one building inspector from the regular force of building inspectors, who shall be appointed by the commissioner of buildings at the request of the commissioner of health. If the said board shall find and report that a public nuisance exists, as defined in the foregoing section, the commissioner of health

shall serve notice upon the owner of the building, or his agent or the person in possession, charge or control of such building, directing him to abate the nuisance, and to place the building in a condition which shall not endanger the public health within such reasonable time as the board of survey shall recommend. Upon the failure of the person so notified to obey said notice, the commissioner of health shall, after the expiration of the time specified therein, abate the nuisance by ordering the vacation of such building, or part or parts thereof, when such vacation is required by the public health of this city, and if within thirty days after such vacation has been ordered the building or buildings are not put in a sanitary condition, then the commissioner of health shall have the power to order the demolition of such building or buildings; and the chief of the fire department is hereby authorized and instructed to furnish the necessary service for such demolition on the request of the commissioner of health.

**1067. Vacation of buildings.]** Whenever it shall be decided by the commissioner of health that any building or part thereof is unfit for human habitation by reason of its being so infected with disease, or from other causes, as to be likely to cause sickness among the occupants, and notice of such decision shall have been affixed conspicuously on the building, or part thereof, so decided to be unfit for human habitation, and personally served upon the owner, agent or lessee, if the same can be found in the state, or the person in possession, charge or control of such building, requiring all persons therein to vacate such building or part thereof for the reasons to be stated therein as aforesaid, it shall be the duty of said commissioner to see to it that such building or part thereof is vacated within ten days from the date of such notice or within a shorter time (not less than twenty-four hours in any case), as may be specified in said notice, if in the opinion of said commissioner such building or portion thereof should be vacated within less than ten days. Said commissioner shall have the power and authority to call upon the department of police or upon any member thereof for such assistance as may be necessary to enable him to enforce the provisions of this section, and it shall be the duty of any member of the department of police so called upon to render such assistance as may be required of him by said commissioner of health.

**1068. Cleanliness—ventilation—temperature.]** Every owner, lessee or tenant, or manager of any tenement house, lodging-house, boarding-house or manufactory, shall cause every part thereof and its appurtenances to be put, and shall thereafter cause the same to be kept, in a clean and wholesome condition, and shall speedily cause every apartment thereof in which any person may sleep, dwell or work, to be adequately lighted and ventilated; and if the same be a manufactory, shall cause every part thereof in which any person may

work to be maintained at such temperature, and be provided with such accommodations and safeguards as not, by any reason of the want thereof, or of anything about the condition of any such manufactory or its appurtenances, to cause unnecessary danger or detriment to the health of any person employed therein.

**1069. Cellar or place unventilated.]** No person having the right and power to prevent the same shall knowingly cause or permit any person to sleep or remain in any cellar, or in any place dangerous or prejudicial to health, by reason of a want of ventilation or drainage, or by reason of the presence of any poisonous, noxious or offensive substance or otherwise.

**1070. Sewer gas.]** No water closet, sink, tub, vat, or other structure shall hereafter be constructed within the city having connection with or by any sewer or underground passage, unless the same is provided with adequate or the best generally approved constructions and precautions for preventing gases and other offensive currents, substances and smells from passing up or out through such connection from such sewer or passage; nor shall any such water closet or privy be constructed without adequate provisions for the effectual and proper ventilation and cleansing thereof.

**1071. Penalty.]** Any person who violates or refuses to comply with any of the provisions of any section of this article, or who resists any officer in the discharge of his duty concerning any of the matters in this article contained, shall be fined not less than ten dollars and not more than two hundred dollars for each offense.

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## ARTICLE VIII.

### CONTAGIOUS DISEASES AND INFECTED ARTICLES.

**1072. Physicians to report.]** Every physician who shall prescribe for or attend any person having a contagious or epidemic disease, such as cholera, yellow fever, scarlet fever, diphtheria, typhus, typhoid fever, smallpox, varioloid, puerperal fever, membranous croup, measles, whooping cough, or any of the grades of such diseases, or any other disease designated as contagious or epidemic by the commissioner of health, shall, within twenty-four hours after first discovering the existence of such disease, make a report thereof in writing to the commissioner of health, which report shall give the name, if known, and the place of dwelling of the person having such disease, together with the character and state of his disease. For the purpose of covering the expense of making each such report the physician making the same shall receive the sum of ten cents;



Provided all claims for fees for such reports shall be presented before the fifth day of the month succeeding that in which such reports were made.

**1073. Institutions to report.]** The manager or other person in charge or control of any public or private institution, hotel, boarding or lodging house in said city shall within twenty-four hours after first discovering the existence of such disease, report in writing to the commissioner of health, and state therein the name, if known, condition and disease of any and every person being a patient therein, and sick of any contagious or epidemic disease.

**1074. Duty of all persons to report.]** It shall be the duty of every person knowing of any individual in the city or upon any vessel in the harbor sick of any contagious disease or where such person shall have reason to regard such individual as neglected or not properly cared for, and the duty of every physician hearing of any such sick person, who he shall have reason to think requires the attention of the department of health, to at once report the facts to the commissioner of health in regard to the disease, condition, and dwelling-place or position of such sick person.

**1075. Removal of infected person from vessel.]** No captain, officer, consignee, owner or other person in charge of any vessel shall remove or aid in removing from any vessel to the shore, save as legally authorized by the department of health, any person sick of or that has been exposed to and is liable very soon to develop any contagious disease.

**1076. Articles from infected place.]** No person shall within the city move or expose or aid in moving or exposing any household goods, article or thing that has been exposed to any contagious or epidemic disease until such household goods, articles or things shall have been disinfected in accordance with the requirements of the commissioner of health, nor shall any person bring into the city any article or thing whatsoever from any infected place, or from any vessel or building in which any person has been sick of any such disease, without a permit therefor from the department of health, nor until such articles or things have been thoroughly disinfected.

**1077. Removal of person.]** No person shall, within the city, without a permit from the commissioner of health, carry or remove from one place to another any person sick of any contagious or epidemic disease. Nor shall any person by any exposure of any individual sick of any such disease, or of the body of such person, or by any negligent act connected therewith or in respect of the care or custody thereof, or by a needless exposure of himself, cause or contribute to or promote the spread of disease from any such person or from any dead body.

**1078. Penalty.]** Any person who violates, neglects or refuses to

comply with, or who resists any of the provisions of any section of this article, shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

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## ARTICLE IX.

### CIGARETTES.

**1079. License — application — fee — bond.]** Any person, or corporation, desiring a license to sell cigarettes or cigarette papers or wrappers in the city shall make written application for that purpose to the mayor, in which shall be set forth the full name of the applicant and the location at which such sales are proposed to be made. Such application shall be accompanied by evidence that the applicant if an individual, and the person or persons in charge of the business if a corporation, is or are persons of good character and reputation, and if the mayor shall be satisfied that such persons are of good character and reputation and are suitable persons to be intrusted with the sale of cigarettes, he shall cause the city clerk to issue a license to such applicant upon the payment to the city collector of a license fee at the rate of one hundred dollars per annum; and upon such applicant executing a bond to the city with sureties to be approved by the mayor, in the sum of five hundred dollars, conditioned that the licensed person, or corporation shall faithfully observe and obey all laws of the state of Illinois and ordinances of the city, now in force or which may hereafter be passed with reference to cigarettes; Provided, however, that nothing herein contained shall be held to authorize the sale of cigarettes containing opium, morphine, jimpson weed, belladonna, strychnia, cocaine, or any other deleterious or poisonous drug or drugs.

Such license shall authorize the person or corporation therein named to expose for sale, sell or offer for sale cigarettes and cigarette papers and wrappers at the place designated therein.

**1080. Inspection—analysis.]** It shall be the duty of the commissioner of health, and he is hereby authorized and empowered, from time to time to inspect and examine all places where cigarettes are licensed to be sold within the city, with a view of ascertaining whether the laws of the state of Illinois and the ordinances of the city, in relation to the sale of cigarettes are being complied with at such places, and it shall be his duty to cause all such laws and ordinances to be rigorously enforced; and it shall be the duty of all persons or corporations licensed to sell cigarettes within the city, upon demand of the commissioner of health, to furnish to said com-

missioner for his inspection samples of all cigarettes sold or offered for sale by them, which samples of cigarettes shall be analyzed by or under the direction of said commissioner of health, and a record of such analysis shall be made and kept in his office for the inspection of the public.

**1081. Sale without license—penalty.]** Any person who shall hereafter keep for sale or to give away, or who shall sell or give away, or offer to sell or give away any cigarettes or any cigarette papers or cigarette wrappers of any kind, at any place within the city, without having first procured the license as above provided, shall be fined not less than twenty-five dollars and not exceeding two hundred dollars for the first offense, and a further penalty of twenty-five dollars for each day such person persists in such violation after a conviction for the first offense.

**1082. Adulteration.]** No person or corporation shall expose for sale, sell, or offer for sale to any person, or corporation, directly or indirectly, within the city, any cigarette or cigarettes containing opium, morphine, jimson weed, belladonna, strychnia, cocaine, or any other deleterious or poisonous drug or drugs. Any person or corporation violating any provision of this section shall be fined not less than twenty-five dollars and not more than one hundred dollars for the first offense, and a further penalty of twenty-five dollars for each day such person or corporation persists in such violation after a conviction for the first offense.

**1083. Minors—sale to.]** No person or corporation, with or without a license, shall sell or offer to sell cigarettes to any person under twenty-one years of age. Any person, or corporation who shall violate this section shall be fined not less than twenty-five dollars for each offense.

**1084. Sale prohibited near school houses.]** No person or corporation shall sell, give away, barter, exchange, or otherwise deal in at any place located within six hundred feet of any school house or building used for school purposes, any cigarettes, tobacco, or tobacco product of any form whatsoever used in the making of cigarettes or with which cigarette papers or wrappers are sold or given away.

**1085. Penalty.]** Any person violating any of the provisions of the foregoing section shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

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## ARTICLE X.

### CIGAR REFUSE.

**1086. Cigar stumps—tobacco—collecting.]** It shall be unlawful

for any person to pick or gather up from the public streets, alleys, or thoroughfares of the city or in any saloon, restaurant, hotel, or any public building in said city any cigar or cigarette butt or stump, or the waste, unused or unburned portion of any cigar, tobacco or cigarette, for the purpose or with the intent of bartering or selling the same or disposing of the same for use in any form of manufactured tobacco.

**1087. Parents not to permit.]** It shall be unlawful for any parent, guardian or person having the legal custody or control of any child, under the age of eighteen years, to knowingly permit, aid, advise, assist, counsel or encourage any such child to gather or pick up from the streets, alleys, or thoroughfares, or in any saloon, restaurant, hotel or public building, in the city, any cigar or cigarette butt or stump, or the waste, unused or unburned portion of any cigar, cigarette or tobacco.

**1088. Unlawful to buy.]** It shall be unlawful for any person to buy or receive for the purpose of disposing of the same to be used in any form of manufactured tobacco, any cigar or cigarette butt or stump, or the waste, unused or unburned portion of any cigar, tobacco or cigarette picked up or gathered from the streets, alleys, or thoroughfares of the city, or in any saloon, restaurant, hotel or public building in said city.

**1089. Unlawful to manufacture from.]** It shall be unlawful for any person to manufacture into, in whole or in part, cigars, cigarettes, chewing or smoking tobacco, or snuff, any of the substances or things described in the preceding sections of this article, picked up or gathered from the streets, alleys, public highways or thoroughfares of the city, or in any saloon, restaurant, hotel or public building in said city.

**1090. Penalty.]** Any person violating any of the provisions of this article shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

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## ARTICLE XI.

### DEAD ANIMALS.

**1091. Removal of dead animals—duty of mayor and commissioner of health.]** The mayor and commissioner of health are authorized and empowered to advertise for and to receive bids or proposals for the removal of dead animals from the streets, avenues, alleys, and other public grounds of the city, for a period of not more than five years; and the mayor and said commissioner shall in such advertise-

ment reserve the right to reject any and all bids. In all cases bidders shall file with the commissioner of health, two days prior to the time set for the filing of such bids, a detailed statement of the method to be employed in the reduction, rendering or disposing of such animals and the location, plans, specifications and equipment of their plant or plants where such operations are to be conducted.

**1092. Authority to contract.]** After bids have been received for the removal of dead animals, if it shall appear to the mayor and commissioner of health that they are enabled to enter into a contract with any reliable and responsible bidder for the removal of dead animals for a period of not less than one year nor more than five years, without it being necessary for the city to incur the expenditure of any money for or on account of such removal of such dead animals, the mayor and commissioner of health are authorized and empowered to enter into and make on behalf of the city a contract for the removal from the streets, avenues, alleys, public ways, and public grounds of the city, of any dead animals or all dead animals found thereon. Such contract shall provide that such dead animals shall be removed only in closed and covered wagons, vans, drays, or other vehicles, and shall further provide that no such animal taken up or removed under the provisions of this article be skinned or rendered any place within the city or within three miles of the limits thereof.

**1093. Bond of contractor.]** Any person or corporation to whom a contract may be awarded in pursuance of the provisions of this article shall execute a bond to the city, with sureties to be approved by the commissioner of health, in the sum of twenty-five thousand dollars, conditioned for the faithful observance and performance of the provisions of such contract and of this article.

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## ARTICLE XII.

### GARBAGE, ASHES, AND REFUSE.

**1094. Unlawful to sell garbage.]** No person shall vend, or attempt to vend, or dispose of in the city any fruit, vegetable or other article of food that may be decayed or partially rotten, or that may have been taken from any barrel, box or other receptacle for the same, in any alley or street in the city.

**1095. Vehicles not to create nuisance—disinfection.]** No person or corporation owning or controlling any cart or vehicle used for the carrying or transporting of any offal, swill, garbage, or rubbish, or the contents of any privy, vault, cesspool, catchbasin, or sink, or

having upon or in any such cart or vehicle any manure or other offensive or nauseous substance, shall cause or permit such cart or vehicle when in use for such purpose to stand or remain before or near any building, structure, or premises occupied by any person; nor shall any such person or corporation using any such cart or vehicle cause or permit the use of an unreasonable or unnecessary length of time in and about the loading or unloading of any such cart or vehicle when in use for such purposes or cause or permit an unreasonable or unnecessary length of time to be used in passing along any street or public way; nor shall any such person or corporation cause or permit any such cart or vehicle to be in a condition needlessly or unnecessarily filthy or offensive.

Such person or corporation shall cause all such carts or vehicles used for such purposes and all implements used in connection with the loading or unloading thereof, when not in use, to be stored and kept in such place and in such manner as not to create a nuisance; and such person or corporation shall cause all such carts or vehicles and implements to be thoroughly disinfected and put in an inoffensive condition when so stored or not in use; and such carts or vehicles and implements shall be thoroughly disinfected at least once a week, whether in use or not, unless the same shall not have been used since the last disinfection thereof.

**1096. Vehicles to be covered—not to be overloaded.]** No person or corporation owning or controlling any cart or vehicle described in the last preceding section and used for the purposes therein mentioned shall cause or permit any such cart or vehicle to be so loaded or to be in such defective condition or so out of repair or of such faulty construction or to be so improperly driven or managed that any manure, garbage, rubbish, offal, dirt, offensive liquid, or other material with which such cart or vehicle is loaded shall drop or fall upon or in any street, public way, or other place; and such cart or vehicle and any box, can, or other receptacle carried thereon or therein and in which any of the substances described in this or the preceding section shall be carried shall be so constructed as to be strong and practically air and water tight, so as to effectually prevent the same from emitting any odor and so as to prevent any part of the contents or load thereof from falling, leaking, or spilling therefrom. It shall be the duty of every person in charge, possession, or control of any cart or vehicle used for the purposes mentioned in this and the last preceding section to replace at once on such cart or vehicle any part of the contents thereof which shall or may have fallen, dropped, or been spilled from such cart or vehicle or from any box or receptacle conveyed thereon, upon any street, public way, or other place.

**1097. Deposit of manure and other offensive material prohibited.]**

No person or corporation shall pile or deposit or cause to be piled or deposited any manure, offal, garbage, or any accumulation of any offensive or nauseous substance anywhere within the city except at such place as may be authorized by the commissioner of public works in and by a written permit issued for such purpose; and no person or corporation shall permit or allow any cart or other receptacle in his or its possession, charge, or control and which is loaded with any such substance to remain or stand upon or along any railroad, street, or public way within the city, within three hundred feet of any building, structure, or premises occupied or used for residence purposes.

No person or corporation shall place or cause to be placed upon any street, sidewalk, or public way, or upon the roof of any building, or upon the surface of any lot or parcel of ground, any straw, hay, shavings, or other substance which has been used as bedding for animals, for the purpose of drying such substance or storing same; nor shall any person or corporation burn or cause to be burned any such straw, hay, shavings, or other substance which has been used as bedding for animals, in any place other than a properly constructed crematory, and then only upon a permit issued in writing by the commissioner of health for that purpose.

**1098. Garbage—loaded on railroad cars—penalty.]** All stable manure, kitchen offal, garbage or other offensive or nauseous substance or material may be loaded upon railroad cars for immediate transportation from the city, at such place or places only as shall be designated by the commissioner of health; Provided, however, that no place or places so designated shall be a nearer distance to any building occupied as a dwelling than three hundred feet. No person or corporation shall use or occupy any place or places for the receipt, loading or dumping of such manure, offal, garbage or any other offensive or nauseous substance or material for immediate transportation without first obtaining a written permit for such purpose from the commissioner of health. Any person or corporation who shall violate any provision of this section shall, upon conviction, be subject to a penalty of not less than twenty-five dollars nor more than one hundred dollars.

**1099. Removal of garbage, swill, etc., not produced in residences or apartments—penalty.]** Every person or corporation owning or controlling any hotel, restaurant, cafe, oyster house, saloon, or other premises where more than twenty guests or boarders are fed daily, shall cause all offal, table refuse, shells, and animal or vegetable matter commonly known and described as garbage, to be placed in proper metallic cans, which shall be practically air and water tight, and shall cause all such substances deposited in such cans or receptacles to be removed daily from his or its premises and to be disposed of either by burning in a properly constructed crematory which shall

have been approved by the commissioner of health or by dumping the same at any dumping ground or place where garbage is dumped or disposed of by the city. The removal and disposition of such substances shall be done by such person or corporation at his or its own expense solely, and in accordance with the provisions of this ordinance and the directions or rules of the commissioner of health relating to the disposition and removal of such substances.

Any person or corporation who shall violate any of the provisions of this section or any rule or regulation prescribed by the commissioner of health in relation to the removal or disposition of the substances mentioned in this section shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

**1100. General penalty.]** Any person or corporation who shall violate, refuse or neglect to comply with any of the provisions of this article or any rule or regulation of the department of health made for the purpose of carrying into effect the provisions or any of the provisions of this article, shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

**1101. Noxious refuse on vacant ground.]** No part of the contents of or substances from any sink, privy or cesspool, nor any manure, ashes, garbage, offal, rubbish, dirt, nor any refuse or waste or thing which by its decomposition could or would become offensive to human beings or detrimental to health, or create or tend to create a nuisance, shall be by any person thrown, deposited or placed upon any vacant lot of land or vacant place upon the surface of any lot of land within the city, whether such lot be inclosed or otherwise; nor shall any of said substances be allowed by any person to run or drop from the premises occupied by such person, upon any vacant lot of land, or vacant place upon the surface of any lot of land in said city.

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## ARTICLE XIII.

### HOSPITALS.

**1102. Permit—location—treatment.]** It shall be unlawful for any person or corporation, other than the regularly constituted authorities of the United States, the state of Illinois, the county of Cook or the city of Chicago, to open, conduct, manage or maintain any hospital as hereinafter defined within the city, without first obtaining a license therefor, as hereinafter provided. Any person or corporation desiring such license shall apply in writing to the commissioner of health and shall truly state in such application the location or proposed location of such hospital; the purpose for which it



is to be opened, conducted or maintained; the accommodations or proposed accommodations for the inmates thereof; the nature and kind of treatment given or proposed to be given therein; and the name and address of the chief physician, surgeon, or attending chief physician or surgeon, or board of physicians or surgeons attendant therein.

**1103. Inquiry—license—fee—construction.]** It shall be the duty of the said commissioner of health, upon the presentation of such application, to make or cause to be made, strict inquiry into the facts set out in such application, and if upon such inquiry he shall find that such hospital is or is intended to be so constructed as to afford proper accommodations for the care of the persons received or proposed to be received therein and in accordance with the provisions of this ordinance, and that the chief physician or surgeon, or intended chief physician or surgeon, or board of physicians or surgeons thereof, gives or is under agreement thereafter to give such attendance therein as does or will render him or them responsible, professionally, for the medical or surgical treatment given or to be given to any and all persons therein, and that such chief physician or surgeon, or board of physicians or surgeons is regularly authorized to act as such under the laws of the state of Illinois; then the said commissioner of health shall recommend to the mayor that a license be issued in the name of the city of Chicago to such applicant to open, conduct, manage or maintain for the current municipal year a hospital at the place, in the manner and for the purpose in such application set forth. Such license shall be issued by the city clerk, and a license fee of ten dollars shall be paid to the city collector therefor. Provided, that if any such hospital comes within any one of the classes of hospitals which may be required by ordinance to obtain the written consents of certain property owners before it may be maintained, conducted or managed in a designated locality, then an exact copy of such consents shall be filed with the commissioner of health, as a further requirement, before a license under this article shall issue to such hospital.

**1104. Accommodations for patients.]** In every such hospital each room occupied or to be occupied by patients, other than surgical, lying-in or contagious disease patients, shall be of such dimensions as to give each such patient not less than fifteen hundred cubic feet of space; and for surgical, lying-in and contagious disease patients the dimensions shall be such as to give not less than twenty-five hundred cubic feet to each patient; every room shall have at least one window connecting with the external air for every two beds, and shall be ventilated by such appliances as shall secure a complete change of air in such room not less than twice an hour; each room and ward in such hospital shall have water furnished at one or more places therein, so

that the same may be adequate and reasonably convenient for the use of the occupants thereof; the plumbing, water closets, bath rooms and other sanitary appliances and conditions shall be constructed in accordance with the requirements of the ordinances relating to these matters, and shall be subject to the approval of the commissioner of health; the building shall have the floor of the cellar properly cemented, so as to be water tight; the halls of each floor shall open directly to the external air with suitable windows, and shall have no room or other obstruction at the end, unless sufficient light or ventilation is otherwise provided for such hall in a manner approved by the commissioner of buildings; and the building as a whole shall be provided with adequate and proper fire escapes, stairways or inclines and exits, all of which shall be approved by the said commissioner of buildings.

There shall be provided in each such building a suitable room, or rooms approved by the commissioner of health to be used for the isolation of cases of contagious, infectious, epidemic or communicable diseases that may be found in the hospital and a suitable room or rooms approved by the commissioner of health for the proper care of the dead pending their removal.

**1105. Body of patient dying in hospital not to be removed.]** No person acting as superintendent, manager, or who is otherwise in charge or control of any hospital, nor any person connected with any hospital in any capacity whatsoever, as nurse, physician or attendant shall order, permit or allow the body of any patient, or person who has been under treatment in such hospital and who shall have died therein, to be removed from such hospital to any undertaking establishment at any time within twenty-four hours after the hour of death, unless the removal of such body has been authorized in writing by some member of the immediate family of such deceased person, or by some other person legally authorized to order or permit such a removal, and no such body shall be removed otherwise than in accordance with the ordinances of the city governing and concerning the removal of dead bodies.

**1106. Report each month.]** It shall be the duty of every such person or corporation licensed as aforesaid to open, conduct or maintain a hospital within the city, to make a report to said commissioner of health, on or before the fifth day of each calendar month, showing a complete record of such hospital during the preceding month, including the number of inmates received, discharged or dead during the month, cause of death, and such other information as may be necessary to an intelligent sanitary supervision of the establishment; such record to be furnished on blanks prepared and supplied by the commissioner of health, verified by the affidavit or affirmation of the chief physician or surgeon or superintendent attendant therein.

**1107. Inspection—revocation of license.]** Every hospital conducted, maintained or managed by any person or corporation licensed as aforesaid shall at all times be open to the inspection of said commissioner of health, or his duly appointed assistants or inspectors; and the commissioner of health is hereby authorized and empowered to inspect the same or cause inspection thereof to be made, whenever and as often as he may deem proper; and if, upon any such inspection, he shall find the same to be conducted, managed or maintained in violation of the terms of the application for the license under which the same was opened, conducted, managed or maintained, or in violation of any of the provisions of this article, or of any of the health or sanitary ordinances, rules or regulations of said city, then and in that event, he shall recommend to the mayor the revocation of any such license issued for the opening, conducting, managing or maintaining of the same. And the mayor shall revoke such license upon such recommendation, or for other good and sufficient cause.

**1108. Penalty.]** Any person or corporation other than the regularly constituted authorities of the United States, the state of Illinois, county of Cook or city of Chicago, opening, conducting, managing, or maintaining a hospital as hereinafter defined within the city, without first having obtained a license therefor, as provided in this article; or after a revocation of such license under the authority conferred by this article; or in violation of any of the provisions of this article, shall be fined not less than fifty dollars, nor more than one hundred dollars for each offense; Provided, that in the event of a conviction of any such person or corporation, for a violation of any of the provisions of section 1104 of this article, it shall be the duty of the commissioner of health, and he is hereby authorized and empowered, to close such hospital conducted, managed or maintained by any such person or corporation convicted as aforesaid, and to cause its vacation pending the repairs, alterations or additions necessary to make it safe and proper for the occupancy of its inmates and to make it comply with the terms of section 1104.

And any violation of any of the provisions of this article other than said section 1104, if continued after the first offense shall for every day of such continuance be punished by an additional fine of not less than fifty dollars nor more than one hundred dollars.

**1109. Hospital defined.]** For the purposes of this article a hospital is hereby defined to mean any institution or place used for the reception or care, temporary or continuous, of three or more sick, injured or dependent persons, including women awaiting confinement; or used for the treatment of three or more persons suffering from or afflicted with any mental or physical disease or bodily injury.

## ARTICLE XIV.

## HORSE FLESH.

**1110. Horse defined.]** For the purposes of this article, in every case where the word horse is herein used, the word shall be construed and taken as meaning and including any horse, mule, ass, donkey, burro, or any animal of any of the species thereof either male or female.

**1111. Slaughtering horses for food prohibited.]** No person or corporation shall, within the limits of the city, engage in the business or occupation of killing or slaughtering horses for human food, or maintain or keep any place for that purpose, and no person or corporation shall, within the city, kill any horse for the purpose of selling or offering for sale any part or portion thereof for human food.

**1112. Selling horse flesh prohibited.]** No person or corporation shall, within the city, sell, offer for sale, or give away any flesh of any horse for human food.

**1113. Possession of horse flesh for food.]** No person or corporation shall, within the city, have in his or its possession any horse flesh for the purpose of selling, offering for sale, or giving the same away for human food.

**1114. Sausage made of horse flesh.]** No person or corporation shall, within the city, use any horse flesh in the manufacture of sausage, or in the manufacture of any other article designed to be sold or used for human food.

**1115. Food composed partly of horse flesh.]** No person or corporation shall, within the city, sell, offer for sale, give away, or have in his or its possession with the design to sell, any product or article designed to be used for human food, which is wholly or in part made of or derived from horse flesh.

**1116. Persons aiding or assisting.]** No person or corporation shall, within the city, aid, abet, or assist in procuring any person to buy, or to use for human food, any horse flesh, or any article of food containing the same, or any article in whole or in part derived therefrom, such person so buying or using being in ignorance of the character of the article so bought or used.

**1117. Penalty.]** Every person or corporation who shall violate any provision contained in any of the sections of this article shall be fined not more than two hundred dollars for each offense.

## ARTICLE XV

## MILK AND FOOD.

**1118. Milk and food division established.]** There is hereby established a division of the department of health of the city to be known and designated as the milk and food division.

**1119. Appointments.]** There shall be appointed by the commissioner of health according to law, a superintendent and bacteriologist, and a chemist. They shall be persons skilled in the sciences of analytical chemistry and bacteriology, and before entering upon their duties shall each execute a bond to the city in the sum of five thousand dollars, with good and sufficient sureties, to be approved by the commissioner of health, conditioned for the faithful performance of the duties of their respective offices.

**1120. Duties of superintendent and bacteriologist and chemist.]** The superintendent and bacteriologist and the chemist shall be subject, at all times, to the control and supervision of said commissioner of health. The superintendent and bacteriologist shall have charge of the milk and food division of the department of health, and control, direct, regulate, supervise, and manage its operations. It shall be the duty of the superintendent and bacteriologist and the chemist to make analyses and examinations of milk and cream, meat, water, foods, drugs, and such medical diagnosis and other examinations as may be directed by the commissioner of health. A record shall be kept of every analysis or examination that may be made.

**1121. Assistants and employees.]** There shall also be employed in the milk and food division of the department of health, hereby established, such assistants, employes and inspectors as shall be provided for by the city council, who shall be appointed by the commissioner of health, according to law, and they shall be under the direction of the superintendent and bacteriologist, and shall perform such duties as are in this article provided, and as the said superintendent and bacteriologist may additionally direct.

**1122. Officers' defaults.]** Any officer or employe of the milk and food division who wilfully connives at or assists in the violation of any of the provisions of this article shall be fined not less than one hundred dollars nor more than two hundred dollars for each offense.

**1123. Milk vendors' license—license fee.]** No person or corporation, or driver of any milk wagon, nor any servant or agent of any vendor of milk, shall sell or offer for sale, expose for sale, dispose of, exchange or deliver, or with the intent so to do as aforesaid, have in his or their possession, care, custody or control, milk or cream for human food, without having been first licensed so to do. Every per-

son or corporation selling or disposing of milk or cream shall, annually on the first day of May, pay license fees as follows: Every milk or cream vendor selling, offering for sale, exposing for sale, exchange, or delivery, or disposing of milk and cream or either of them in and from any store, stand, booth, market place, milk depot, warehouse, dairy, cow stable, or any building or establishment of any kind, or in or from any wagon, carriage, or other vehicle, shall pay the sum of ten dollars. When more than one wagon, carriage or vehicle is used from which milk or cream is sold or offered for sale, there shall be paid at the same time and in like manner as hereinbefore provided for each such additional wagon, carriage or other vehicle, the sum of ten dollars. Every person or corporation violating this section or any of its provisions shall be fined not less than five dollars nor more than two hundred dollars for each offense. All licenses granted pursuant to this article may, at any time, be revoked by the commissioner of health for violations of the provisions hereof, or for any other good and sufficient cause.

If at the time of application for a license under the provisions of this article less than six months of the current license year shall have expired the applicant shall be required to pay for such license the full annual license fee of ten dollars; and if at the time such application is made more than six months of the current license year shall have elapsed the applicant shall be required to pay five dollars for such license; and no license shall be issued under the provisions of this article for any period or part of any license year for a less sum than five dollars.

**1124. License—application—posting—change of location.]** Any person or corporation desiring to be licensed as a milk vendor in accordance with and pursuant to the provisions of this article shall make application in writing therefor to the commissioner of health.

Such application shall be made upon a printed form to be supplied by the department of health and such applicant, if an individual, shall state therein his full name and residence, and if a corporation, shall state the full name and residence of each of its officers. Such application shall also state the location of the place at which it is desired or intended to carry on such business; it shall also contain a description of each and every wagon or other vehicle to be used by the applicant in and about his business; also the number of cows, if any, owned or controlled by the applicant. The commissioner of health upon receipt of such application shall investigate or cause to be investigated the place of business described in such application and the wagons or other vehicles intended to be used by such applicant. If such place of business and such wagons or other vehicles are found by said commissioner to be in a sanitary condition and fit for the uses and purposes to which they are intended to be put he shall

transmit such application to the mayor with his approval thereon, and the mayor shall thereupon issue or cause to be issued to such applicant upon the payment by him to the city collector of the license fee as herein provided a license attested by the city clerk, authorizing such applicant to carry on, engage in, and conduct the business of vendor of milk in the city at the place designated in such application and to employ in and about such business the number of wagons or other vehicles designated and described in such application for and during the period for which such license is issued.

No license issued hereunder shall entitle or authorize the licensee named therein to carry on, engage in, or conduct the business of vendor of milk in any place or places other than that described and set out in such license; and a separate license fee shall be paid for each and every place at which such business is carried on, engaged in, or conducted; Provided, however, if any licensee shall desire to carry on, engage in, or conduct the business of vendor of milk at more than one place of business and employ the same wagons or other vehicles at each place of business he shall not be required to pay more than one license fee for each such wagon or other vehicle.

If any person or corporation licensed under the provisions of this article shall change the location of his or its place of business, notice of such change shall be given forthwith to the superintendent and bacteriologist of the health department, and no business shall be conducted or carried on under such license at such new location until such notice shall have been given as herein provided.

**1125. Vehicle sign—penalty.]** Each vendor of milk shall, before engaging in the sale of milk or cream, cause his name and place of business to be placed, and to remain, in letters not less than six inches in height on each outer side of all wagons or other vehicles used by such vendor, in the conveyance or sale of milk or cream.

Any person or corporation in possession, charge, or control, either as driver or operator of any wagon or other vehicle used in and about the business of vending milk, who shall drive or operate or cause to be driven or operated any such wagon or other vehicle in violation of any of the provisions of this section shall be fined not less than five dollars nor more than one hundred dollars for each offense; and each and every day on which any such person or corporation shall drive or operate or cause to be driven or operated any such vehicle in violation of any of the provisions of this section shall constitute a separate and distinct offense.

**1126. Vehicle license plates—removal—penalty.]** No person or corporation shall sell, offer for sale, or keep for sale or convey or cause to be conveyed on or in any wagon or other vehicle, or to be delivered therefrom, any milk or cream unless such wagon or other vehicle shall have securely fastened thereon, on the outside of each

side of the box of such vehicle, a metal plate eight inches long and four inches wide, on which shall be stamped a number corresponding with the license number of the milk vendor by whom such vehicle is used, and also the words "Chicago" and "Milk," together with the year for which the milk vendor using such vehicle is licensed. Such metal plate shall be obtained from the city clerk and shall be of a different color and design for each license year. Such plate shall be kept securely fastened on the outside of each side of the box of the vehicle on which it is placed, during the license year for which it is issued, unless such vehicle be no longer used in and about the vending of milk.

At the expiration of the license year for which such plates were issued or at any time before such expiration when any such vehicle shall cease to be used by any licensed milk vendor in and about his business, the plates shall be forthwith removed from such vehicle and destroyed; and no person or corporation shall use or cause to be used any wagon or other vehicle in and about the business of vending milk unless such wagon or other vehicle has the plates herein required attached thereto in accordance with the provisions of this article, or with plates attached thereto for any year other than the year for which such plates were issued.

Any person or corporation violating any of the provisions of this section or any person in possession, charge, or control of any wagon or other vehicle used in and about the business of vending milk which shall be used or operated in violation of any of the provisions of this section shall be fined not less than five dollars nor more than two hundred dollars for each offense; and each and every day on which any such wagon or other vehicle shall be operated or used in violation of any of the provisions of this section shall constitute a separate and distinct offense.

**1127. Milk cans—sterilization—premises to be kept clean—penalty.]** Every person or corporation licensed under the provisions of this article or who is engaged in or carrying on the business of vending milk and cream or either of them, shall keep all cans and other receptacles used in and about the handling of milk and cream or either of them, and all refrigerators or compartments and stores or other places where milk and cream or either of them is kept, stored, or handled, in a scrupulously neat and clean condition and free from the presence or vicinity of any article or thing likely to contaminate or injuriously affect the quality or sweetness of the milk or cream, and shall also cause all cans and other receptacles in which milk or cream is kept to be sterilized with boiling water or live steam each time they are used, as soon as they are empty and before being used again, and shall cause all pouring cans, dippers, or other vessels used in and about the peddling or vending of milk and cream to



be scalded or sterilized daily, and shall cause all bottles or jars in which milk or cream is sold, offered for sale, or delivered, to be washed clean and thoroughly sterilized each time they are used, as soon as they are empty and before being used again. Such person or corporation shall not use any can, bottle, or other receptacle in which milk or cream, or either of them, has been shipped or conveyed to such person or corporation, for the storage of such milk and cream, or either of them, or any other article or thing, but shall cause such cans, bottles, or other receptacles to be emptied and thoroughly cleaned and dried and returned to the shipper within twenty-four hours after such person or corporation shall have received the same.

Any person or corporation violating any of the provisions of this section shall be fined not less than five dollars nor more than two hundred dollars for each offense.

**1128. Sealed milk cans required—penalty.]** No person or corporation shall deliver or bring into the city for sale, any milk, cream, or condensed milk, or any or either of them, unless such milk, cream, or condensed milk is contained in a can or receptacle sealed with a metal seal by the shipper thereof and unless such can or receptacle shall have such seal intact at the time it is brought into the city.

No person or corporation shall sell, offer or expose for sale, or dispose of or deliver to any person any milk, cream, or condensed milk, or any or either of them, or have any milk, cream, or condensed milk, or any or either of them, in his or its possession with intent to sell, offer, or expose the same for sale, or to deliver the same to any person, which, such person or corporation knows or has reason to believe, was received in or brought into the city in a can or other receptacle which was not sealed or which did not have its seal intact in accordance with the provisions of this section.

Any person or corporation who shall violate any of the provisions of this section shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

**1129. Inspection—resistance.]** It shall be the duty of the superintendent and bacteriologist (either in person or by one or more of the said inspectors) to visit, view and inspect all places and vehicles in which milk and cream or either of them is sold, offered for sale, exposed for sale, stored, kept, exchanged, delivered or disposed of, as well as to inspect, view and examine all vessels, cans, receptacles, packages, refrigerators or compartments of any store or building, platforms, establishments or places of any kind containing milk or cream, and to ascertain or examine the condition thereof, with reference to cleanliness and sanitation, and to cause the removal and abatement of any unfit, unclean or injurious condition attending the keeping, storing or possession, care, custody or control of milk or cream at and in all places. Any person or corporation failing, neg-

lecting, delaying or refusing to obey or conform to any reasonable order or direction under this section, made by the proper officer, or who in any way hinders said officer or inspectors, shall be fined not less than five dollars nor more than two hundred dollars for each offense.

**1130. Power of entry—samples—test—penalty.]** The commissioner of health, superintendent and bacteriologist, and any inspector or police officer authorized by the commissioner of health or superintendent and bacteriologist shall have the right and power to enter and have full access to any building, structure, or premises where any milk and cream or either of them is stored or kept for sale, and shall have the right of access to all wagons, railroad cars, or other vehicles of any kind used for the conveyance or delivery of milk and cream or either of them and to any building, structure, or premises where he believes or has reason to believe milk and cream or either of them is stored or kept for sale, and shall have the right to take samples of milk and cream therefrom (such samples not to exceed one quart), for the purpose of inspecting, testing, or analyzing same.

Any person or corporation refusing to allow such right of entry or access, or refusing to allow such samples of milk and cream to be taken, or hindering or obstructing any officer named herein in carrying out the power conferred by this section, shall be fined not less than five dollars nor more than two hundred dollars for each offense.

**1131. Mixtures prohibited and vessels marked.]** Mixture of any two or more of the following articles of human food, whole milk, skimmed milk, cream, condensed milk and buttermilk, by any person or corporation licensed under this article, is hereby prohibited, and each can or vessel containing any one of the above named articles shall have painted on two sides thereof, in plain, black letters not less than three inches in height and not less than six inches from the top of the can or receptacle containing such article, the name of the article therein contained. Provided, however, that that part of this section which applies to having the name of the article painted on the vessel containing the same, shall not apply to such articles sold in bottles. In such case, the name of any of such articles when sold in bottles shall be printed, stamped or painted clearly and legibly, on the cap closing such bottles. Any person or corporation licensed under this article who mixes any of the articles of human food herein named, and any person or corporation licensed under this article, who sells or offers for sale any of the articles of human food herein named, in any can or other receptacle which has not printed, stamped or painted thereon, as provided herein, the name of the article contained in such can or other receptacle, shall be fined not less than five dollars nor more than two hundred dollars for each offense.

**1132. Milk test—penalty.]** No person or corporation licensed under this article shall keep, sell, or offer for sale, convey or deliver, or have in his or its possession, charge or control, any milk, in the city, if such milk contains more than eighty-eight per cent of watery fluids or less than twelve per cent of total solids or less than three per cent of butter fat.

Any person or corporation violating any of the provisions of this section shall be fined not less than five dollars nor more than two hundred dollars for each offense.

**1133. Cream test—penalty.]** No person or corporation licensed under this article shall keep, sell, or offer for sale, convey or deliver, or have in his or its possession, charge, or control, any cream in the city if such cream contains less than fifteen per cent of butter fat.

Any person or corporation violating any of the provisions of this section shall be fined not less than five dollars nor more than two hundred dollars for each offense.

**1134. Skimmed milk test—penalty.]** No person or corporation licensed under the provisions of this article, shall sell or offer for sale in the city any milk from which the cream or any part thereof shall have been taken, unless such milk shall be offered for sale and sold by such person or corporation as skimmed milk; and no person or corporation shall have in his or its possession, charge, or control with intent to sell, or offer for sale, or deliver any such milk from which the cream or any part thereof shall have been taken, unless the cans or other receptacles containing such milk shall have the entire outside thereof painted a bright red and kept so painted at all times while in use for such purpose, and such can or other receptacle shall also have painted on the outside thereof, not less than six inches from the top of such cans or other receptacles the words "Skimmed Milk," in plain black letters not less than three inches in height and one inch in width, on two sides thereof. No such person or corporation shall sell, offer for sale, or deliver any skimmed milk containing less than eight and five tenths per cent of total solids other than butter fat or containing more than one per cent of butter fat.

Any person or corporation violating any of the provisions of this section shall be fined not less than five dollars nor more than two hundred dollars for each offense.

**1135. Impure, diluted, or adulterated milk.]** Whoever, by himself, or by his servant or agent, or as servant, agent or employe of any other person or corporation, sells, offers for sale, exchange, delivers or transports, or has in his custody, possession or control, with intent to sell, offer for sale, exchange or deliver in the city, any milk or cream or skimmed milk for human food, which is unclean, diluted, impure, unwholesome, adulterated or not of the standard provided for by this article, or milk or cream or skimmed milk to which

water or any foreign substance has been added, or any skimmed milk in violation of this article, or milk or cream produced from sick or diseased cows, or from cows kept in an unclean, filthy or unhealthy condition, or from cows fed the refuse or slops from distilleries, breweries, vinegar factories or any slops, mash, refuse or food that has been subject to fermentation; or milk or cream that has been exposed or contaminated, or affected by the discharges or exhalations from any human being or animal sick with any contagious or infectious disease, shall for a first offense be fined not less than five dollars nor more than one hundred dollars; and for each subsequent offense be fined not less than fifty dollars nor more than two hundred dollars.

**1136. Adulteration or dilution.]** Any person who shall adulterate milk or cream or reduce or change it in any respect by the addition of water or any foreign or other substance or by the removal of cream therefrom, with a view of selling, or offering the same for sale, or exchange in the city after such adulteration or change, shall be fined not less than five dollars nor more than two hundred dollars for each offense.

**1137. Foreign substances contained.]** Any person or corporation who shall in the city sell, offer for sale, deliver or transport, with intent to sell or offer for sale, or have in his or its care, custody or possession, any milk or cream containing any coloring matter, or any adulterations or preservatives, whether for the purpose of artificially increasing the quantity of milk or cream or for preserving the sweetness thereof, or for any purpose whatever, or any person or corporation, or any servant or agent of such person or corporation, who shall in the city sell or offer for sale for use in milk or cream, or have in his or its possession or control with the intent of so selling or offering for sale, any preservative, coloring matter or other adulteration, shall be fined not less than twenty dollars nor more than two hundred dollars for each offense.

**1138. Condensed or evaporated milk.]** No person or corporation shall manufacture, sell, or offer for sale in the city, any condensed or evaporated milk for domestic use, unless the same shall be put up in packages or cans upon which shall be distinctly labelled or stamped the name or brand, by whom, or under which, the same is made. Nor shall any person or corporation manufacture, sell or offer for sale in the city any condensed or evaporated milk for domestic use, unless the same is manufactured from pure, fresh, unadulterated milk, from which the cream has not been removed, or unless the proportion of milk solids and butter fat contained in the condensed or evaporated milk shall in amount be the equivalent of milk solids and butter fat as provided by this article. Any person or corporation violating any provision of this section shall be fined not less than five dollars nor

more than two hundred dollars for each offense. Nothing herein shall be construed to prevent the addition of cane sugar in the manufacture of condensed or evaporated milk.

**1139. Confiscation of impure milk.]** All milk and cream from sick or diseased cows, or cows fed on refuse or slops from distilleries, breweries, vinegar factories or any mash or refuse, or food that has been subject to fermentation, or that may affect or be detrimental to life or health, shall, upon discovery thereof, be confiscated, forfeited and immediately destroyed by or under the direction of the commissioner of health, superintendent and bacteriologist, or officer detailed for that purpose.

**1140. Buttermilk.]** Nothing in this article shall be so construed as to prohibit the use or sale of what is known as buttermilk, provided the same is produced from pure and wholesome milk. Should any such buttermilk, however, be sold or offered for sale in the city, or be in the custody, or possession of any person or corporation in the city with the intent of selling or offering for sale the same, which is not the product of pure and wholesome milk, or which is impure or adulterated, such person or corporation shall be fined not less than five dollars nor more than two hundred dollars for each offense.

**1141. Cow stables to be kept clean.]** Every person or corporation owning, keeping, or in possession, charge, or control of any cow stable or place where milch cows are stabled or kept in the city, shall clean or cause to be cleaned such cow stables or place, daily, in a thorough manner and by such methods as shall be satisfactory to the commissioner of health.

Any person or corporation violating any of the provisions of this section shall be fined not less than five dollars nor more than one hundred dollars for each offense.

**1142. Sick or diseased cow.]** If any cow be sick or diseased, the owner or person in charge thereof shall not sell, offer for sale, or expose for sale, the milk or cream therefrom, but shall at once destroy such milk or cream. Any such owner or person who shall violate any of the provisions of this section shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

**1143. Parturition of cow.]** No person or corporation shall sell or offer or keep for sale any milk or cream drawn from any cow within fifteen days before, or one week after, parturition of such cow, nor shall any person or corporation cause or permit any milk or cream drawn from any cow within either of the periods named to be mixed with any other milk or cream.

Any person or corporation violating any of the provisions of this section shall be fined not less than five dollars nor more than two hundred dollars for each offense.

**1144. Dairy—refuse matter—offal.]** Every person or corporation

owning or keeping a dairy in the city shall maintain the premises thereof free from any accumulation of refuse matter or offal. Any person or corporation failing to comply with this section shall be fined not less than five dollars nor more than two hundred dollars for each offense.

1145. Slops or refuse.] No person or corporation shall keep or have in his or its possession any slops or refuse of any distillery, brewery or vinegar factory, or any mash or refuse, or food that has been subject to fermentation, for the purpose of feeding the same to any milk cow or cows. Any person or corporation violating any of the provisions of this section shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

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ICE.

1146. Test—bond—license—fee.] Every person or corporation desiring to engage in the business of retailing and selling any ice from house to house, or to hotels, restaurants, saloons or other places where such ice so sold and delivered may be used in contact with articles of food or drink (which use is hereinafter referred to as "domestic use") or where such ice is to be used solely for cooling purposes, shall, before engaging in such business, file a written application with the commissioner of health for a license therefor, stating in such application the place or places where such ice is to be or has been cut or gathered, the means of delivery, the location of the depots or places in Chicago from which such ice is to be delivered, and the quality of the ice intended to be sold. Such application shall be verified by the oath of the applicant, or, if the applicant is a corporation, by the oath of some officer thereof.

All ice to be sold or delivered within the city for domestic use, as aforesaid, shall be pure and healthful ice, free from matter deleterious to health; and such ice is hereby defined to be ice which, upon chemical and bacteriological examination, shall be found to be free from nitrites and pathogenic bacteria, and to contain not more than nine thousandths of one part of free ammonia and nine thousandths of one part of albuminoid ammonia in one hundred thousand parts.

The commissioner of health shall examine such application, and if it shall appear to him therefrom that the ice intended to be sold is such ice as may under this article be lawfully sold and delivered in the city for domestic use as aforesaid, said commissioner shall take from the applicant a bond to the city, with sureties to be approved by said commissioner, in the sum of five thousand dollars, conditioned that the applicant shall comply with all the ordinances of the city

relating to the cutting, storing, selling and delivery of ice, and with all lawful rules and regulations of the commissioner of health touching the ice business and touching the protection and care of articles of drink, food and food materials, and that the applicant will not sell or give away in the city any ice containing any substance deleterious to health during the period of his license, except as hereinafter provided. Upon receipt of such application and bond if such application shall be approved by the commissioner of health he shall forthwith transmit such application and bond to the mayor, who shall thereupon, upon payment by the applicant to the city collector of the license fee as hereinafter fixed, issue or cause to be issued to such applicant a license attested by the city clerk, authorizing the applicant to engage in the business of retailing and selling ice, either for domestic use solely, or for packing or cooling purposes solely, or for both purposes, for and during the period of such license.

The fee for every such license shall be at the annual rate of ten dollars from each applicant operating or employing one vehicle for the delivery of ice in said city and may be paid in semi-annual installments on the first day of May and November of each year. Provided that no license shall be issued hereunder for any part of a license year or period for a less fee than five dollars; and from each applicant operating more than one vehicle the fee shall be at the same annual and proportionate rates for each vehicle so employed.

**1147. Impure ice.]** No person or corporation shall sell or deliver in the city any ice for domestic use as aforesaid, which shall have been taken or gathered from the Chicago or the Calumet rivers or any of their branches, or from any body of water within said city which is stagnant or in which refuse, industrial wastes, garbage, sewage or any other material tending to destroy the purity of the ice, cut or obtained from such water, according to the standard fixed by the last preceding section, has been pumped, placed, discharged or is in any manner to be found; and no ice from any of the waters above prohibited shall be sold or delivered in the city for domestic use as aforesaid which shall have been taken from any lake, pond, river, stream or other body of water, wherever located, which is defiled by sewage, garbage, ashes, decaying vegetation, refuse or wastes from any industry, or by any other substance tending to make the ice cut or obtained from such water, impure and unhealthful according to the standard fixed by this chapter for ice.

**1148. Duty of commissioner of health—rules and regulations.]** It shall be the duty of the commissioner of health to examine, or cause to be examined, from time to time, the places where ice is gathered or is to be gathered, or has been gathered, for sale and delivery as aforesaid within the city, and all places where such ice may be stored or kept, and every vehicle in which the same may be delivered

on any part of its route from the place where it is gathered to the consumer, and to examine or cause to be examined, from time to time, ice so sold or delivered, or to be sold or delivered, so far as he may deem necessary or expedient, to ascertain whether such ice is pure and healthful and free from matter deleterious to health according to said standard; and if, from such examination, it shall be found that any person or corporation has sold or distributed, or is selling or delivering, any ice for domestic use as aforesaid below the standard above fixed, or any ice contrary to the provisions of this article, such person or corporation shall be fined not less than twenty-five nor more than one hundred dollars for each offense.

Said commissioner of health shall from time to time make such reasonable rules as to the storing and delivery and inspection of ice, to be sold or delivered in the city for domestic use as aforesaid, as will prevent the distribution in said city, for domestic use as aforesaid, of any impure ice or ice containing deleterious substances according to said standard.

1149. Ice for cooling purposes.] This article shall not be construed to prohibit the selling or delivering of impure ice to be used only for packing or cooling purposes, that is to say, for use in refrigerators, refrigerator cars, freezing machines, rooms and other places where it will not come in contact with articles of food or drink. Whenever any impure ice for packing or cooling purposes shall be sold or delivered from any wagon or other vehicle the driver or person in charge thereof shall carry a supply of printed cards, on which shall be printed in large legible letters the words, "Ice for packing or cooling purposes only; not for domestic use," and he shall hand with each delivery of such ice one such card to the person who receives such ice, and shall take at the same time a receipt, which shall be given him by such purchaser or recipient, on which receipt the same words required to be printed upon said card shall be similarly printed. No ice for packing or cooling purposes shall be sold or delivered in the city by any person or corporation without a license, or otherwise than in conformity with the provisions of this section and of this article.

No ice designed or intended to be sold, offered for sale, or delivered for domestic use shall be sold, offered for sale, or delivered from any wagon or other vehicle used in the vending or distributing of ice to be used for packing or cooling purposes.

1150. Ice wagons to have plates attached.] Every person or corporation licensed under the provisions of this article shall have securely fastened on each side of the outside of the box of each wagon or other vehicle used by him or it in and about the business of vending or distributing ice, a metal plate not less than ten inches long and six inches wide, having stamped or plainly marked thereon the



words "Chicago Ice Dealer" and a number corresponding to the number of the licensed ice dealer owning, controlling, or using such wagon or vehicle. Such plate shall also have marked thereon the year for which such license is issued. Such plate shall be procured from the city clerk and shall be of a different color and design for each year.

No person or corporation licensed under the provisions of this article shall use or cause to be used in and about the business of vending or distributing ice in the city, any wagon or other vehicle which shall not have attached thereon a metal plate in accordance with the provisions of this section; and it shall be the duty of such person or corporation at the expiration of the license year for which such metal plate was issued to remove or cause to be removed such plate from such wagon or other vehicle and to destroy same, and no such metal plates shall be used on any wagon or other vehicle at any time other than for the year during which such plates were issued.

**1151. Weighing of ice when sold—weight to be sold by.]** Every person or corporation selling ice or offering ice for sale shall at the time of delivery of any ice sold, if requested so to do by the purchaser of such ice or any servant or employe of such purchaser to whom the delivery of such ice is made, weigh the quantity of ice delivered, and for that purpose shall be provided with a steelyard balance or other apparatus for weighing such ice, which shall have been duly adjusted and sealed by the inspector of weights and measures in accordance with the provisions of this ordinance; and all ice sold within the city shall be sold by avoirdupois weight unless it is otherwise specially agreed upon between the buyer and seller.

Any person or corporation selling or offering for sale ice within the city or delivering ice to any person within the city, who shall violate any of the provisions of this section, shall be fined not less than five nor more than fifty dollars for each offense.

**1152. General penalty.]** Any person or corporation violating any of the provisions of the last seven preceding sections, shall be fined not less than twenty-five nor more than one hundred dollars for each offense.

#### MEAT.

**1153. Condemnation of meat.]** All meat condemned in the city by government or state meat inspectors shall be destroyed under the supervision and subject to the directions of the city meat inspectors; and the city meat inspectors or any one of them are hereby empowered to seize, condemn, and destroy any tainted or unwholesome meat found in the city; and the city meat inspectors or any one of them are hereby authorized to enter any building, structure, or premises in the city to inspect and examine any meat contained therein.

**1154. Hours of slaughter—sanitary regulations.]** No owner or person in possession, charge or control of a slaughter house shall slaughter cattle, sheep, or hogs between the hours of seven o'clock p. m. and four o'clock a. m., or on Sundays, without first notifying the city meat inspectors. All emaciated or diseased cattle condemned in the city shall be destroyed by and under the supervision and subject to the directions of the city meat inspectors. No carcass of any dead animal shall be brought into any slaughter house in the city.

Any person or corporation who violates or neglects to comply with any of the provisions of this section, shall be fined not less than fifty dollars nor more than two hundred dollars for each offense.

**1155. Refrigerators.]** No keeper of a meat market or dealer in meats shall keep in any meat market any refrigerator or ice-box, unless the same shall be lined with lead or some proper substance so as to be water-tight, nor unless the same be provided with a pipe of lead, zinc or copper leading therefrom to the proper waste pipe.

**1156. Inspection of foods.]** Every keeper of a meat market or dealer in meats or grocer or milk dealer, shall allow the meat and food inspectors and other duly authorized employees of the department of health to freely and fully inspect any milk, meat, fish, or vegetables, or other food stuffs, kept, offered or intended for sale by them or either of them, and shall answer all reasonable and proper questions asked by such officers relative to the condition thereof, and of the places where such articles may be.

**1157. Slaughtering of cattle.]** The slaughtering of cattle shall not be permitted or conducted at any place in the city except in a duly licensed slaughter house.

**1158. Market cleansed.]** Every keeper of a meat market or dealer in meats and every person owning, leasing or occupying any place, room or building where any cattle are killed or dressed, and every person being the owner, lessee or occupant of any room or stable where any cattle may be kept, shall cause such place, room, building, stall and market, and their yards and appurtenances, to be thoroughly cleansed and purified, and all offal, blood, fat, garbage, refuse and unwholesome or offensive matter to be therefrom removed at least once in every twenty-four hours after the use thereof for any of the purposes herein referred to; and shall also at all times, keep all wood-work, save floors and counters, in any building, place or premises aforesaid, thoroughly painted or whitewashed.

**1159. Penalty.]** Any person who shall violate any of the provisions of the last four preceding sections of this article, or who shall neglect or refuse to comply with any of the requirements thereof, shall be fined not less than five dollars nor more than one hundred dollars for each offense.

## UNWHOLESOME OR ADULTERATED FOOD, DRUGS, WATER, ETC.

**1160. Impure or adulterated water, drugs or food.]** Any person or corporation, or any agent or employe thereof, who shall keep for sale, offer for sale or exchange, or shall sell or deliver or expose for sale, any drugs not conforming to the rules and standards of the United States pharmacopœia, or any water, or liquids, or food which shall be impure, unwholesome, adulterated, or to which any harmful or injurious foreign substance has been added, shall be fined not less than five dollars nor more than one hundred dollars for each offense, and for each subsequent offense not less than fifty dollars nor more than two hundred dollars.

**1161. Food condemned—power of entry, etc.]** Every person being the owner, lessee or occupant of any room, stall, freight house, cold storage house or other place, other than a private dwelling, where any meat, fish, poultry, game, vegetables, fruit, or other perishable article adapted or designed to be used for human food, shall be stored or be kept whether temporarily or otherwise, and every person having charge of, or being interested or engaged, whether as principal or agent, in the care of, or in respect to the custody or sale of any such article of food supply, shall put, preserve and keep such article of food supply in a clean and wholesome condition, and shall not allow the same, nor any part thereof, to become putrid, decayed, poisoned, infected, or in any other manner rendered or made unsafe or unwholesome for human food; and it shall be the duty of the meat and food inspectors and other duly authorized employes of the health department of the city to enter any and all such premises above specified at any time of any day, and to forthwith seize, condemn and destroy any such putrid, decayed, poisoned and infected food, which any such inspector may find in and upon said premises.

**1162. Unwholesome food—duty of individuals.]** It shall be the duty of every person knowing of any fish, meat, fowls, birds or vegetables being bought, sold or offered or held for sale as human food in the city, which is not sound, healthy or wholesome for such food, to forthwith report such facts and the particulars relating thereto, to the department of health or to one of its officers or inspectors.

**1163. Same—confiscation.]** If any person shall expose for sale in the city, any diseased, emaciated, tainted or putrid meat or provisions, which from these or other causes may be deemed unwholesome, such person shall be fined not less than five nor more than two hundred dollars for each offense, and it shall be the duty of the department of health or any member thereof having knowledge of such fact to forthwith seize and destroy all such meat and provisions.

**1164. Condition of meat.]** No person or corporation shall bring or cause to be brought into or kept or offered for sale in any public

or private market in the city any meat or any dead animal the flesh of which is intended to be used for human food, until such meat or such dead animal shall have been fully and properly cooled and until all blood shall have ceased dripping therefrom; nor bring or cause to be brought into any such public or private market in the city any dead animal intended to be used for human food unless the hide, horns, feet, head, and entrails shall have been removed therefrom; nor bring or cause to be brought into such market any gut fat or any unwholesome or offensive matter or thing.

Any person or corporation violating any of the provisions of this section shall be fined not less than five dollars nor more than one hundred dollars for each offense.

**1165. Unwholesome vegetables.]** No person or corporation shall bring or cause to be brought into the city any decayed or unwholesome vegetable or vegetables intended to be consumed or sold or offered for sale for human food; nor shall any person or corporation keep or store in the city any decayed or unwholesome vegetable or vegetables.

**1166. Prohibited meat and fowl.]** No cased, blown, plaited, raised, stuffed, putrid, impure or unhealthy or unwholesome meat or fish, bird or fowl shall be held, bought or sold or offered for sale for human food, in any place in said city.

**1167. Misrepresentation.]** No meat, fish, vegetables or milk, or other article of human food or drink, shall knowingly be bought, sold, held, offered for sale, labeled, or any representation made in respect thereof, under a false name or quality, or under any false representation whatever respecting its or their wholesomeness, soundness or safety for food or drink.

**1168. Cleanliness of stall, etc.]** Every person being the owner, lessee, or occupant of any room, stall or place where any meat, fish or vegetables designed or held for human food shall be stored or kept, or shall be held or offered for sale, shall put and keep such room, stall or place and its appurtenances in a clean and wholesome condition.

**1169. Immature calf, pig, or lamb.]** No person or corporation shall bring into, sell, or offer for sale in the city for human food any calf or any part of the meat thereof which at the time it was killed was less than four weeks old, or any pig or any part of the meat thereof which at the time it was killed was less than five weeks old, or any lamb or any part of the meat thereof which at the time it was killed was less than eight weeks old.

**1170. Diseased cattle.]** No person or corporation shall kill or cause to be killed anywhere in the city any cattle for human food while such cattle are in an overheated, feverish, or 'diseased' condition; and the owner, keeper, or person in control of any cattle which

are diseased in the city shall at once inform the commissioner of health of the fact that such cattle are diseased and of the place where they are kept immediately upon such cattle becoming diseased or being brought into the city in a diseased condition.

**1171. Penalty.]** Every person or corporation who refuses or obstructs the entry into any building, structure, or premises of any officer of the department of health in the performance of his duty or who interferes with the confiscation or destruction of any infected, decayed, or unwholesome articles of food or who violates any of the provisions of the last eleven preceding sections of this article shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

#### FRUITS, BERRIES AND VEGETABLES.

**1172. Contents of packages to be uniform.]** No person or corporation shall, within the city, sell or offer for sale, or have in his possession for the purpose of selling or offering for sale, any basket, box, barrel, bag or other package of fruit, berries or vegetables of any kind the contents of which are not of uniform quality and size throughout. Any person violating any of the provisions of this section shall be fined not less than five dollars nor more than fifty dollars for each offense.

**1173. Sales in bulk.]** This article shall not apply to sales in bulk, either by the car load, by the bushel or otherwise, where such fruits or vegetables are not sold in boxes, bags or other packages or parcels.

**1174. Duty of health department.]** It shall be and is hereby made the duty of the health department to inspect all fruits, vegetables and berries which may be offered for sale within the city, and to cause the arrest and punishment of any person or corporation who shall in any way violate any of the provisions of this article.

**1175. Detection of offenders.]** Any person having purchased any fruits, vegetables or berries sold in violation of the provisions of this article, may produce the package or parcel containing the same at the office of the health department, and furnish therewith an affidavit duly subscribed and sworn to showing that said parcel was purchased within twenty-four hours from the time the same is so produced, and showing that the parcel as produced contains all of the fruit, berries or vegetables, and none other, which it contained at the time of its purchase; and if the health department shall find by measuring, weighing or inspecting the same that it is short in quantity or weight, or that the same is not of uniform quality, or was otherwise sold in violation of the provisions of this article, it shall be and is hereby made the duty of the health department to report such violation to the city prosecuting attorney, who shall in all cases, and at once,

cause the arrest of the person so violating this article, or shall begin a suit against such vendor, to recover the penalty herein provided for such violation.

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## ARTICLE XVI.

### NIGHT SCAVENGERS.

**1176. Defined.]** The mayor shall, from time to time, upon application to be approved by the commissioner of health, grant licenses to any person or corporation, to clean or remove the contents of privy vaults; and every person, or corporation who empties, cleans, or removes the contents of privy vaults shall be deemed a night scavenger within the meaning of this article.

**1177. License.]** No person or corporation within the city shall empty, clean or remove the contents of any privy vault, or in any manner engage in the business of night scavenger, without first having obtained a license so to do, under a penalty of not less than twenty-five dollars for each offense.

**1178. License fee—bond.]** Every person or corporation applying for such license shall pay to the city collector the sum of fifty dollars for each and every wagon used by such person in scavenger work, and execute a bond to the city in the penal sum of five hundred dollars with not less than two sureties, to be approved by the mayor, conditioned that such scavenger will comply with the provisions of this article, and every ordinance which may be hereafter passed by the city council touching his said employment, and will also comply with and obey the directions and regulations of the commissioner of health of the city, in respect to emptying, cleaning or removing the contents of privy vaults.

**1179. Removal of night soil—permit.]** No licensed person or corporation within the city shall remove or cause to be removed, the contents of any privy vault without a permit first obtained from the commissioner of health, under a penalty of not less than five nor more than fifty dollars for each offense.

**1180. Contents of permit.]** Every such permit shall give the name of the scavenger, describe the premises where the work is to be done, and state where the contents thereof shall be deposited.

**1181. Report to commissioner.]** Each scavenger shall make return to the commissioner of health of every permit issued to him, within five days after the work shall have been performed, certifying to the number of yards or loads removed from the vault or vaults therein described, and the place where the same was deposited, under a penalty of not less than ten nor more than fifty dollars for each offense.

**1182. Manner of removal.]** The cleaning, emptying and removing of the contents of privy vaults shall be done in an inoffensive manner, and any scavenger having begun any such work shall, without any interruption or delay, finish the same and shall in every instance leave the privy in as good condition upon the vault as when the work was undertaken.

**1183. Removed out of city—reduction plant.]** The contents of privy vaults so removed by any scavenger shall be conveyed beyond the city limits in air-tight tanks or vessels, and shall be disposed of in such a manner as to cause no offense. Such tanks or vessels shall be kept clean and inoffensive when not in actual use.

In case a plant for the reduction of night soil is erected as hereinafter provided, then such contents of privy vaults shall be conveyed to such plant and there disposed of in the manner hereinafter provided.

**1184. Sign on wagons.]** Scavengers who engage in the business of removing the contents of privy vaults at night shall cause to be painted upon the wagon box of their wagons, in letters and figures, their names and the number of their licenses, and shall cause to be attached to each of their wagons a lighted lamp with plain glass fronts and sides, with the number of the license of such wagon painted with black paint on the sides and front of each of such lamps, in distinct and legible figures at least two inches in size and so placed that such lamps may be distinctly seen, and such number easily read.

**1185. Hours of removal.]** No privy vault shall be opened, nor the contents thereof disturbed or removed between the hours of six o'clock a. m. and ten o'clock p. m. of any day, nor shall such contents be deposited or buried within the city, except upon the special permission of the commissioner of health of said city, and in such manner and places as shall be by him directed. And if any night scavenger shall not bury such contents, as above provided, and cover the same so as to prevent any smell arising therefrom, his license shall immediately be forfeited and annulled. Any person violating any provision of this section shall be fined not less than twenty-five nor more than fifty dollars for each offense.

**1186. Scavengers' compensation.]** Night scavengers shall be allowed to charge and receive for each cubic foot of night soil by them so taken and removed a sum not to exceed twenty cents.

**1187. Notice to owner when vault offensive.]** Whenever, in the opinion of the commissioner of health or any health officer, any privy vault shall be offensive and need cleaning, it shall be his duty to notify the owner, agent, occupant or person in possession, charge or control of the premises upon which such privy is located to have the same cleaned by a duly licensed night scavenger within a period named in such notice, and unless the person so notified shall comply

within the time mentioned, it shall be the duty of such officer to cause such vault to be cleaned by one or more of the city scavengers aforesaid, and such person so failing to comply with such notice shall be fined not less than twenty dollars nor more than one hundred dollars for each offense, and the expense of doing such work shall be recovered from the owner, agent or person in possession, charge or control of such premises by any appropriate proceeding.

1188. **Penalty.]** Any person without license or permit as aforesaid, who shall act as night scavenger, or who shall undertake to remove any contents of any privy vault within the city shall be fined not less than ten dollars nor more than fifty dollars for each offense; and any night scavenger who shall fail to comply with any order, direction or regulation of the commissioner of health, or who shall violate any provision of this article, shall be fined not less than five dollars nor more than one hundred dollars, and shall forfeit his license.

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#### ARTICLE XVII.

##### NIGHT SOIL REDUCTION.

1189. **Plants—lease.]** The comptroller is hereby authorized to lease, as hereinafter provided, to any person or corporation for the purpose of erecting, maintaining and operating thereon by such person or corporation a plant for the reduction of night soil in accordance with plans to be approved by the commissioner of public works, any of the land now or hereafter owned in fee or as lessee by the city which the comptroller may deem appropriate for such purpose. The work of construction necessary in and about the erection of such plant shall be done under the supervision and to the satisfaction of the commissioner of public works; such lease shall provide for an annual rental to be paid by the lessee in advance to the comptroller, and the amount of such rental shall be fixed by the comptroller and before such lease shall become of any force or effect it shall be approved by the comptroller.

1190. **Treatment.]** It shall be stipulated in such lease that the night soil treated in such plant shall be drained into the Chicago river, either directly or through one of the city sewers, to be selected by the commissioner of public works; and before it is allowed to enter into such sewer or river it shall be reduced by diluting same with water in such proportions as the commissioner of health may specify.

1191. **Scavengers to use plant.]** Such lease shall further provide that all licensed city night scavengers shall be entitled and required to have the night soil reduced in such plant upon payment to the lessee of a reasonable compensation therefor, not to exceed four and



one-half cents per cubic foot of night soil reduced. And such lessee shall pay to the comptroller, in addition to the rental heretofore required, ten per cent of the gross receipts derived from the operation and maintenance of such plant. Such payments shall be made every three months, beginning three months from the date of the commencement of such lease.

**1192. Expiration of lease—purchase.]** It shall be further provided that such lease and the rights and privileges thereunder shall cease and determine five years from the date thereof; and that at the expiration thereof the city shall have the right to purchase such plant at its actual cost, less the depreciation in value of same; Provided that such lease and the rights and privileges thereby granted shall be subject to revocation by the mayor, if the city shall sell or convey such land after giving sixty days' notice to the lessee. And in the event of such revocation, the unearned portion of the rent therein provided for, which may have been paid in advance, shall be refunded to such lessee; and the lessee shall at the termination of the lease, either by such revocation or otherwise forthwith remove such plant and its appurtenances and restore such premises to a proper condition.

**1193. Ingress and egress of night scavengers.]** It shall be further stipulated in such lease that all city night scavengers shall have the right to travel over such property owned or leased by the city, surrounding such plant as the commissioner of public works may direct in order to insure such scavengers ingress and egress to and from such plant, and the city shall reserve such right of egress and ingress for such lessee and scavengers in any conveyance which it may make of such property.

**1194. Sanitary condition of plant.]** It shall be further provided in such lease that the lessee shall at all times keep such plant and such premises leased, in a sanitary condition and in good repair, to the satisfaction of the commissioner of public works and the commissioner of health. And if the lessee permits such plant or premises to become offensive or unsanitary, the commissioner of health, in his discretion, may compel the lessee to remove such plant and its appurtenances and restore the premises to a proper condition; and the lease shall be thereby terminated.

**1195. Bond.]** Before any work may be done under such lease, and before it shall be of any force and effect, the lessee shall execute and deliver to the city a good and sufficient bond with sureties to be approved by the comptroller in the penal sum of three thousand dollars, conditioned to indemnify, save and keep harmless the city from any and all loss, damage and expense, cost or liability of any kind whatsoever which may be suffered by it, the said city, or which may accrue against, be charged to, or received from the city by reason of

the location, operation or maintenance of such plant as herein authorized, or by reason of any act or thing done by such lessee by virtue of the authority of such lease; and conditioned further to observe and perform all and singular the conditions of this article. In case the financial responsibility of the sureties upon such bond shall, in the opinion of the mayor or city comptroller, be impaired, such lessee shall within twenty days after notice, file a new bond with new sureties to be approved by the comptroller. Such bond and the liability of the sureties thereon shall be kept in force throughout the life of such lease, and if at any time during the life of such lease such bond shall not be in full force, then such lease and the privileges and authority herein granted shall thereupon cease.

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## ARTICLE XVIII.

### PRIVATE SCAVENGERS.

(Note: See Supplement.)

**1196. Defined.]** The mayor shall from time to time, and upon application, approved by the commissioner of health, grant a license to any person or corporation to remove and dispose of in the manner hereinafter stated, offal, table refuse or animal and vegetable matter usually known as garbage, from hotels, restaurants, cafes, boarding houses and other places not otherwise provided for by the city; or for the removal and disposal of manure, swill or any animal or vegetable refuse and wastes, including decaying animal matter and fish from commission houses and other places where such decaying animal matter and fish may accumulate.

**1197. License.]** No person or corporation shall be permitted to remove and dispose of swill, offal, table refuse, usually known as garbage, or any other matter described in section 1196 without first having obtained a license so to do under a penalty of not less than twenty-five dollars for each offense; Provided, that any person desiring to gather, remove and dispose of garbage, decaying animal matter and fish, manure, swill or other animal or vegetable refuse and wastes from his own premises without the aid of such licensed private scavenger may do so upon the written permission of the commissioner of health, and then only in the manner specified in such permit.

**1198. License fee—bond.]** Every person or corporation applying for such license shall pay annually to the city collector the sum of five dollars for each and every wagon used in this service, and shall execute a bond to the city in the penal sum of five hundred dollars, with not less than two sureties to be approved by the commissioner

of health, conditioned that such licensee will comply with the provisions of this article and with the provisions pertinent thereto of article XII. of this chapter, and with the provisions of any further ordinance on this subject which the city council may from time to time ordain, and will also comply with and obey the directions and regulations of the commissioner of health of the city.

**1199. Disposal.]** The offensive matters described in section 1196 of this article shall under no circumstances be disposed of in any public dump or public place within the city, nor in any other manner or place than as prescribed by the commissioner of health. The application for license shall state what method of disposal and the place thereof are proposed by the applicant, and the license shall be granted duly upon the approval of the application by the commissioner of health, and may be revoked at any time upon the recommendation of the commissioner of health for cause specified.

**1200. Conflict with ordinances.]** Nothing in this article shall be construed to conflict with any existing or future city ordinance concerning the removal and disposal of dirt, filth, litter, garbage, ashes, manure, offal, swill, dead animals, and other material from the streets and alleys of the city of Chicago by said city through its contractors or otherwise.

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## ARTICLE XIX.

### NUISANCES.

**1201. Duty of commissioner of health.]** It shall be the duty of the commissioner of health to serve a notice, in writing, upon the owner, occupant, agent or person in possession, charge or control of any lot, building or premises in or upon which any nuisance may be found, or who may be the owner or cause of any such nuisance, requiring them or either of them to abate the same in such manner as he shall prescribe, within a reasonable time; Provided, that it shall not be necessary in any case for the commissioner to specify in his notice the manner in which any nuisance shall be abated, unless he shall deem it advisable so to do; and such notice may be given or served by any officer who may be directed or deputed to give or make the same; and if the person so notified shall neglect or refuse to comply with the requirements of such order by abating such nuisance within the time specified, such person shall be subject to a fine of not less than five dollars nor more than fifty dollars for every such violation, and it shall be the duty of such officer to proceed at once, upon the expiration of the time specified in such notice, to cause

such nuisance to be abated; Provided, further, that whenever the owner, occupant, agent or person in possession, charge or control of premises, in or upon which any nuisance may be found, is unknown or cannot be found, the said commissioner shall proceed to abate such nuisance without notice; and in either case the expense of such abatement shall be collected from the person or persons who may have created, continued or suffered such nuisance to exist.

**1202. Animal matter decaying.]** It shall be unlawful for any person or corporation having the ownership or control of any animal matter which is in process of decay so as to be offensive or dangerous to the public health within the city to permit the same to be and remain while in such condition within said city, or within one mile of the limits thereof, more than twelve hours after such animal matter shall have become in such offensive or dangerous condition, whether it be at an establishment for the rendering or changing the character thereof or not, and any person or corporation guilty of a violation of any provision of this section shall be fined not less than fifty dollars and not more than two hundred dollars for each offense, and every day on which such violation shall continue shall be deemed a separate and distinct offense.

**1203. Factory—nauseous or offensive.]** Any factory, yard, building or structure of any kind, or tallow chandler's shop, soap factory, tannery, distillery, livery stable, cattle yard or shed, barn, packing house, slaughter house, or rendering establishment which shall become nauseous, foul or offensive, is hereby declared a nuisance, and the person or persons owning, keeping or maintaining or in possession, charge or control of any such factory, shop, yard, house, building or structure aforesaid, shall be fined in a sum not less than twenty-five and not exceeding one hundred dollars for each offense.

**1204. Premises offensive.]** Any store, house, factory or building or structure of any kind, or any grounds or premises kept, permitted or suffered to remain for two hours in such condition as to be offensive to the neighborhood, dangerous or prejudicial to the public health, is hereby declared a nuisance, and the owner, agent or person in possession, charge or control of such store, house, factory, building or structure, or grounds or premises, shall be fined not less than twenty-five dollars and not exceeding one hundred dollars for each such offense, and a further penalty of twenty-five dollars for every day such nuisance shall continue after the first offense.

**1205. Cellar, vault, drain—offensive.]** It shall constitute and is hereby declared a nuisance for any person to suffer or permit any cellar, vault, private drain, pool, sewer, sink or catch basin upon any premises belonging to or occupied by him or in his possession, charge or control to become nauseous, foul, offensive or injurious to the public health. Any person who shall create, suffer or permit such nui-

sance to exist shall be subject to a fine of not less than five dollars and not exceeding fifty dollars in every case, and to a further penalty of ten dollars for every day the same shall continue after prosecution for the first offense.

**1206. Abatement on notice.]** In all cases where a nuisance shall be found in any building or upon any ground or other premises within the jurisdiction of the city, twenty-four hours' notice may be given in writing, signed by the commissioner of health or by the acting health officer, to the owner or occupant or person in possession, charge or control of such building or other premises where he is known and can be found, to remove such nuisance, and in case of his neglect or refusal to abate the same in accordance with such notice, he shall be chargeable with the expenses which may be incurred in the removal thereof, to be collected by suit or otherwise, in addition to the fine or penalty.

**1207. Summary abatement.]** Whenever any nuisance shall be found on any premises within the city the commissioner of health is hereby authorized in his discretion to cause the same to be summarily abated in such manner as he may direct.

**1208. Nuisances—common law.]** In all cases where no provision is herein made defining what are nuisances and how the same may be removed, abated or prevented in addition to what may be declared such herein, those offenses which are known to the common law of the land and the statutes of Illinois as nuisances may, in case the same exist within the city limits or within one mile thereof, be treated as such, and proceeded against as is in this article provided, or in accordance with any other provision of law.

**1209. Individuals bringing nuisance into the city.]** No person shall bring into the city, or keep therein for sale or otherwise, either for food or for any other purpose or purposes whatever, any animal, dead or alive, matter, substance or things which shall be or which shall occasion a nuisance in said city, or which may or shall be dangerous or detrimental to health, under a penalty of not less than ten dollars nor more than one hundred dollars for each offense.

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## ARTICLE XX.

### SLAUGHTERING AND RENDERING.

**1210. License—application—bond—fee—notice to aldermen—revocation.]** It shall be unlawful for any person, or corporation within the city, or within one mile of the present or future city limits, to engage in the business of slaughtering animals for food, packing them for market, or cleaning the intestines thereof, or rendering offal, fat,

bones or scraps therefrom, or of any dead carcasses or animal matter whatever, or to engage in the manufacture or production of fertilizer or glue therefrom, or the manufacture of the same into fertilizing matter, or changing the form thereof in any manner by the use of heat, steam, fire or chemicals, or otherwise, without previously having obtained a license for such business.

The mayor shall, from time to time, cause to be issued licenses to such persons or corporations as shall apply therefor and shall produce to him satisfactory evidence of their good character, to exercise and carry on such business in the manner following and not otherwise.

Any person, or corporation desiring such license within the city, or within one mile of the present or future limits thereof, shall make written application therefor to the commissioner of health, in which application shall be described the location at which said business is proposed to be carried on, the plans and specifications of the building or buildings to be maintained and used therefor, the details of construction, devices and appliances to be employed, and the proposed manner of operation. Such application shall be accompanied by evidence that the applicant, if an individual, or the person or persons in charge of the business, if a corporation, is or are persons of good character and reputation, and are suitable persons to be entrusted with the conduct of such business. The commissioner of health shall thereupon submit to the mayor said application with the evidence aforesaid, with his opinion as to the propriety of granting such license, and if the mayor shall be satisfied that such persons are of good character and reputation and are suitable persons to be entrusted with the conduct of such business, he shall cause to be issued a license in accordance with the application upon such applicant filing a bond, running to the city, with at least two sureties to be approved by the mayor, in the sum of ten thousand dollars, conditioned that the licensed person or corporation shall faithfully observe and obey all the laws of the state of Illinois and the ordinances of the city now in force, or which may hereafter be passed, with reference to such business.

The applicant or applicants for such license shall, before the issuance of the same, pay to the city collector as an annual license fee, the sum of three hundred dollars to conduct the business of rendering, packing meat for shipment, slaughtering, glue making, soap making, or any business of the character herein authorized, and in addition thereto, all persons or corporations conducting a rendering business shall pay annually an additional license fee of twenty dollars for each rendering tank; and no two plants for conducting any of the businesses herein authorized shall be carried on under one license.

Provided, further that thirty days before any such license is is-

sued there shall be mailed by the city clerk a notice of such application to the aldermen representing the ward in which the applicant is carrying on such business, or is about to carry on the same, and to the aldermen whose wards or any part thereof are within a radius of three miles of the present or proposed location where application is made to carry on such business.

Any license so granted may be revoked upon written notice by the mayor whenever it shall appear to his satisfaction that the parties so licensed have violated any provisions of this or any other ordinance of the city, or any law of the state of Illinois relating to said business of slaughtering, packing, rendering and manufacture of fertilizer or glue, or other by-products of animal matter.

**1211. Method of slaughtering—destruction of offensive odors by condensers, etc.]** The keeping and slaughtering of live stock and the preparation and keeping of all meat, fish, birds and fowls, and the rendering of all animal matter, and the manufacture of glue and all by-products from animal matter shall be conducted in that manner which is or is generally reputed or known to be the best adapted to secure and continue their safety and wholesomeness as food, and to avoid all offensiveness of such keeping, slaughtering, rendering and manufacturing. Blood from slaughtered animals shall not be allowed to flow into any sewer or the Chicago river or any of its branches, but while still fresh shall be treated so as not to become offensive.

All offensive odors arising from the handling of meat or other animal matter, melting or rendering, and the treating of and caring for offal, blood, or any other material stored or manufactured shall be destroyed by combustion, condensation, or other means equally effective, and according to the best and most approved means and processes, and not allowed to escape into the outside air. In the event that condensation shall be adopted as a method of destroying offensive odors or gases, the method of condensation employed shall be as follows:

Every rendering establishment shall use as condensers, tanks or other suitable air-tight condensing appliances, with an overflow connecting with a sewer and shall have a feed water pipe of sufficient diameter by which a continual stream of cold water shall pass into the condenser and escape through the aforesaid overflow at or near the top, and all gases generated in the process of boiling shall be carried to and entered into the bottom of and under the body of water contained by said condenser, and such gases as are not condensed in the water, shall be carried through another pipe connected with the top of the condenser, to the boilers or other places where heat of not less than 600 degrees Fahrenheit is maintained and there pass through such fire and be consumed. While the condenser is in use

it shall be obligatory on the part of the user to allow sufficient water to flow through the condenser as will maintain a temperature not higher than 100 degrees Fahrenheit.

A condenser of the spray, jet or other suitable pattern shall be connected with all dryers operated, and a fan or pump shall draw the vapors from the dryer and force them through such condenser, the water from which shall pass into the sewer and a sufficient quantity of water shall be used to thoroughly condense any and all vapors and odors conveyed thereto.

To the end that a proper inspection may be readily made by the authorities of the temperature maintained in such condensers, there shall be attached to each of such condensers an automatic or self-registering thermometer of such a character as will automatically keep a daily record of the temperature maintained in each such condenser at all times during the use thereof.

**1212. Refuse and offal—how conveyed through streets.]** No offal or butcher's refuse shall be conveyed through any street, avenue, alley or public place within the city without a permit from the commissioner of health, and when so conveyed shall be in vehicles constructed of one or more tight compartments, each of which compartments shall be covered with a wooden or sheet metal cover, attached to such compartments by substantial hinges.

**1213. Offensive smells forbidden—inspection.]** It shall constitute, and is hereby declared a nuisance for any person to so steam or boil, or in any way render any offal, tainted or damaged lard or tallow, or so steam or render any animal substances as to occasion any offensive smell, or which by undergoing such processes so taints the air as to render it unwholesome or offensive to the smell or detrimental to health, within the limits of the city, or within a distance of one mile therefrom.

The commissioner of health, or any or all of his sanitary officers, shall be permitted free entrance at all hours of the day or night to all buildings used for the purposes specified in this article and to make free and unrestrained examination of all apparatus or utensils used in such manufacture, or in the disposition of gases generated in such manufacture, and all matters and things relative to the health of the community.

**1214. Use of streets for certain purposes forbidden—slaughter house to be ventilated—license to be posted.]** No animals shall be slaughtered or the meat or any part thereof dressed or hung, wholly or partly, within any street, avenue or sidewalk or public alley or place; nor shall any blood or dirty water or other substance from such animals, meat, or place of killing, or the appurtenances thereof, be allowed to run, fall or to be in any such street, avenue, sidewalk, public alley or place. Every slaughter house or any part thereof, shall



at all times be kept adequately and thoroughly ventilated; and no blood shall be allowed to remain therein over night; and adequate underground connections shall be made from every such building with a public sewer, and the floor of any building on which slaughtering is done, and any yard connected therewith shall be cemented and paved with brick or other suitable material, so as not to absorb blood, and so as to carry all liquid into the sewers. Every person licensed under this article shall immediately cause to be and remain posted upon some conspicuous part of the room or place where such slaughtering, rendering, glue making, or soap making is conducted, his license.

**1215. Bone boiling and rendering—how to be done.]** No person shall boil any offal, swill or bones, nor any fat, tallow or lard, except while the same is fresh and otherwise inoffensive, nor shall the business of bone crushing, bone boiling, bone grinding, bone burning, shell burning, gut cleaning, nor the skinning of or making of glue from any dead animal or part thereof, nor the storage or keeping of scrap, fat or grease, or offensive animal matter be permitted or conducted at any place within the limits of the city, or within one mile thereof, in such a manner as to generate any offensive or deleterious gas, vapor, deposit or exhalation that is dangerous or detrimental to life or health. Every person engaged in the business of boiling or rendering of fat, lard or animal matter, shall cause the scrap or residuum to be so dried or otherwise prepared as effectually to deprive such material of all offensive odors, and to preserve the same entirely inoffensive immediately after the removal thereof from the receptacles in which the rendering process may be conducted.

**1216. Rendering of animals unfit for food forbidden.]** It shall be unlawful for any person or corporation to carry on, establish, prosecute or continue within the city, or within one mile thereof, the occupation, trade or business of skinning or rendering dead animals not proper for use as food; and every such establishment or place of such business existing within the city limits or within one mile thereof, is hereby declared a nuisance, and such trade, occupation or business shall be forthwith abated and discontinued.

**1217. Employees not be lodged in slaughter houses—duty of commissioner of health.]** No person or corporation shall use any packing or slaughter house or any place which is occupied for the purpose of slaughtering or rendering cattle, sheep and hogs or dressing, cleaning, treating, or preparing for shipment and canning, meats and other food stuff by hand or machinery, for housing, sheltering and harboring of its employees or other persons or cause or permit same to be used as sleeping quarters or living apartments by such employees or other persons. Any such house or place so used or occupied for sleeping or living purposes is hereby declared to be a nuisance.

Whenever any such nuisance shall be found upon any premises within the city, the commissioner of health is hereby authorized and directed to cause the same to be summarily abated in such manner as he may direct.

For the purpose of carrying the foregoing provisions into effect it shall be the duty of the commissioner of health to cause to be detailed a sufficient number of police immediately upon complaint of any citizen to make a thorough and systematic examination of any such plant or plants and building or buildings, and to ascertain and report any violations of this section and for this purpose investigators shall be permitted at all times to visit or enter upon any building, lot or ground within the city limits and make examination thereof.

**1218. Penalty—notice to remove nuisance.]** Any person or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this article, or who refuses or neglects to obey any rule, order, or sanitary regulation made by the commissioner of health under the authority of this article, shall be fined not exceeding two hundred dollars, nor less than twenty-five dollars for each offense, and any person or corporation who shall hereafter engage in the business of slaughtering live stock or rendering animal matter, or the manufacture of any of the by-products of animal matter at any place within the city, or within one mile of the limits thereof, without having first obtained a license as herein provided, shall be fined not less than twenty-five dollars and not exceeding two hundred dollars for each offense, and a further penalty of twenty-five dollars for each and every day such person or corporation continues in such violation after the first offense. Provided, that in all cases where a nuisance shall be found in any building, or upon any ground or other premises used for slaughtering, rendering, or the conduct of any business mentioned in this article, twenty-four hours' notice shall be given in writing, signed by the commissioner of health, to the owner or occupant of such building or other premises, where he is known and can be found, to remove such nuisance; and in case of his neglect or refusal to abate the same, in accordance with such notice, the commissioner of health is hereby authorized in his discretion to cause the same to be summarily abated in such manner as he may direct. And such person or corporation shall be chargeable with the expenses which may be incurred in the abatement or removal of such nuisance, to be collected by suit or otherwise, in addition to the fine and penalty herein provided for.

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#### ARTICLE XXI.

##### TENEMENTS AND LODGING HOUSES.

**1219. Conform to requirements.]** No house or building hereafter

erected shall be used as a tenement house or lodging house, and no house or building heretofore erected and not now used for such purposes shall be converted into, used or leased for a tenement or lodging house, unless in addition to the requirements hereinbefore contained in article IX. of chapter XV. of this ordinance, it conforms to requirements affecting tenement or lodging houses, or both as specified in the following sections:

**1220. Construction and use—ventilation.]** It shall not be lawful hereafter to erect for or convert to the purpose of a lodging house, a building on any lot other than a corner lot, where there is another building on the same lot, unless there is a clear, open space exclusively belonging thereto, and extending upwards from the ground, of at least ten feet between such buildings, if they are one story high above the level of the ground; if they are two stories high, the distance between them shall not be less than fifteen feet; if they are three stories high, the distance between them shall be not less than twenty feet; and if they are more than three stories high, the distance between them shall be not less than twenty-five feet.

**1221. Lodging house — ventilation.]** Every house, building or portion thereof in the city, designed to be used, occupied, leased or rented, or which is used, occupied, leased or rented for a lodging house, shall have in every room which is occupied as a sleeping room, and which does not communicate directly with the external air, a ventilating or transom window having an opening or area of three square feet over the door leading into and connected with the adjoining room if such adjoining room communicates with the external air, and also a ventilating or transom window of the same opening or area communicating with the entry or hall of the house, or where this is from the relative situation of the rooms impracticable, such last mentioned ventilating or transom window shall communicate with an adjoining room that itself communicates with the entry or hall. Every such house or building shall have in the roof at the top of the hall an adequate and proper ventilator. No room in any lodging house shall be so occupied that the allowance of air to each person living or sleeping in such room shall at any time be less than four hundred cubic feet for each such person more than twelve years old and two hundred cubic feet for each such person of the age of twelve years or under.

**1222. Height of ceilings—windows.]** In every such house hereafter erected or converted, every habitable room except rooms in the attic shall be in every part not less than eight feet in height from the floor to the ceiling; and every habitable room in the attic of any such building shall be at least eight feet in height from the floor to the ceiling throughout not less than one half the area of such room. Every such room shall have at least one window connecting with the external air, or over the door an adequate ventilator connecting it

with a room or hall which has a connection with the external air, and so arranged as to produce a cross current of air. The total area of window or windows in every room communicating with the external air shall be at least one-tenth of the superficial area of every such room; and the top of one at least of such windows shall not be less than seven feet and six inches above the floor, and the upper half at least shall be made so as to open the full width. Every habitable room of a less area than one hundred superficial feet, if it does not communicate directly with the external air, and is without an open fireplace, shall be provided with special means of ventilation by a separate air shaft extending to the roof, or otherwise, as the commissioner of health may prescribe.

**1223. Chimneys—water-cellar, etc.]** Every such house hereafter erected or converted shall have proper conveniences and receptacles for ashes and rubbish; it shall have water furnished at one or more places in such house or in the yard thereof, so that the same may be adequate and reasonably convenient for the use of the occupants thereof; it shall have the floor of the cellar properly cemented so as to be water-tight; the halls of each floor shall open directly to the external air, with suitable windows, and shall have no room or other obstruction at the end, unless sufficient light or ventilation is otherwise provided for said hall in a manner approved by the commissioner of buildings.

**1224. Overcrowding.]** No owner, lessee or keeper of any tenement-house lodging-house, boarding-house or manufactory shall cause or allow the same to be over-crowded, or cause or allow so great a number of persons to dwell, be or sleep in any such house or any portion thereof, as thereby to cause any danger or detriment to health.

**1225. Adequate water-closets—gases.]** Every person who shall be the owner, lessee or keeper or manager of any tenement-house, boarding-house, lodging-house or manufactory, shall provide or cause to be provided for the accommodation thereof and for the use of the tenants, lodgers, boarders and workers therein, adequate privies, urinals and water-closets, and the same shall be so adequately ventilated, and shall at all times be kept in such cleanly and wholesome condition as not to be offensive or be dangerous or detrimental to health.

**1226. Walls—ceilings—courts, etc., painted.]** The cellar walls and ceilings of every tenement house shall be thoroughly whitewashed or painted a light color at least once every year.

**1227. Repairs—to be kept clean.]** Every tenement house and every part thereof shall be kept in good repair and shall be clean and free from any accumulations of dirt, filth, garbage or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected with or belonging to the same

**1228. Floor and yard to be kept clean.]** The floor and other sur-

face around or beneath any water closet and every sink in every tenement house shall be maintained in good order and repair. Every part of every tenement house and of every yard, court, passage, area or alley connected with or belonging thereto shall be at all times kept in a cleanly condition. No filth, urine or fecal matter shall be placed in any part of a tenement house, yard, court, passage, area or alley, except in such parts thereof as may be specially provided for that purpose, and no filth, urine or fecal matter shall be kept in or upon any tenement house, yard, court, passage, area or alley so long as to create a nuisance.

**1229. Wall paper to be removed.]** No wall paper shall be placed upon the walls or ceilings of any tenement house unless all old wall paper shall first have been removed therefrom and such walls and ceilings thoroughly cleansed.

**1230. Garbage—combustibles—cattle.]** Every tenement house or lodging-house shall have proper and suitable conveniences or receptacles for receiving garbage and other refuse matter. No tenement house or lodging-house, nor any portion thereof, shall be used as a place of storage for any combustible article, or any article dangerous or detrimental to health; nor shall any horse, cow, calf, swine, pig, sheep or goat be kept in any such house.

**1231. Cleanliness—whitewash.]** Every lodging-house and every part thereof shall be kept clean and free from any accumulation of dirt, filth, garbage or other matter in or on the same, or in the yard, court, passage, area or alley connected with or belonging to the same. The owner or keeper of any lodging-house, or part thereof, shall thoroughly cleanse all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, cesspools and drains of the house or part of the house of which he is the owner or lessee or keeper, to the satisfaction of the commissioner of health, so often as shall be required by or in accordance with any regulation or order of said commissioner.

**1232. Contagious disease—disinfection.]** The owner or keeper of any lodging-house, and the owner, agent of the owner, and the lessee of any tenement-house or part thereof shall whenever any person in such house is sick of fever or of any infectious, pestilential or contagious disease, and such sickness is known to such owner, keeper, agent or lessee, give immediate notice thereof to the department of health or to some officer of such department, and thereupon such officer shall cause the same to be inspected, and may, if found necessary, cause the same to be immediately cleansed or disinfected at the expense of the owner in such manner as the commissioner of health may deem necessary and effectual; and they may also cause the blankets, bedding and bed clothes used by any such sick person to be thoroughly cleansed, scoured and fumigated, or in extreme cases to be destroyed.

**1233. Lodging-house defined.]** A lodging-house shall be taken to mean and include any house or building or portion thereof in which persons are harbored or received or lodged for hire for a single night or for less than a week at one time, or any part of which is let for any person to sleep in for any term less than a week.

**1234. Cellar defined.]** A cellar shall be taken to mean and include every basement or lower story of any building or house of which one-half or more of the height from the floor to the ceiling is below the level of the street adjoining.

**1235. Penalties.]** Any person violating, disobeying, neglecting or refusing to comply with, or resisting any of the provisions of this article, or who refuses to comply with any of the sanitary regulations of the department of health concerning any of the matters or things mentioned in this article shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

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## ARTICLE XXII.

### UNDERTAKERS.

**1236. Undertakers to be licensed.]** It shall be unlawful for any person to act as an undertaker, or to prepare a dead body for burial or cremation, or to manage a funeral, without first obtaining a license as an undertaker, as hereinafter provided.

**1237. Application—qualification.]** Any person desiring a license to act as an undertaker, or to prepare dead bodies for burial or cremation, or to manage funerals, shall make application in writing therefor to the commissioner of health, setting forth therein the name and residence of such applicant, and the room, store or place where such applicant intends to carry on or conduct the business of undertaking. Every such applicant shall also furnish to the commissioner of health evidence satisfactory to such commissioner of such applicant's knowledge of the laws and ordinances of the city and the rules and regulations of the department of health governing or concerning the removal, preparation and burial or cremation of the dead, and that such applicant has a practical knowledge of the most approved and sanitary methods of caring for dead bodies and preparing same for burial or cremation. If it shall appear to said commissioner that such applicant is a resident of Cook county and a fit person to be licensed as an undertaker, he shall transmit such application with his approval thereon to the mayor. Upon receipt of such application, approved as aforesaid, and the payment by such applicant to the city collector of the license fee hereinafter fixed, the mayor shall

issue, or cause to be issued to such applicant a license, attested by the city clerk, authorizing such applicant to carry on, conduct or engage in the business of undertaking, or to prepare dead bodies for burial or cremation, and to conduct and manage funerals, at and from the store, room or place designated in the application, for and during the period of such license.

**1238. Fee.]** The fee for a license as an undertaker shall be ten dollars per annum. If at the time such license shall issue, less than six months of the current license year shall have expired, the fee for such license shall be the full sum of ten dollars. If more than six months of the current license year shall have expired, the fee for such license shall be five dollars. No license shall be issued for any part of a license year for a sum less than five dollars.

**1239. Separate license for each place of business.]** Any license issued, as hereinbefore provided, shall entitle the licensee to engage in, carry on or conduct the business of undertaking, only at and from the store, room or place designated in such license, and if the applicant for such license shall desire to carry on, conduct or engage in the business of undertaking at more than one store, room or place in the city, he shall be permitted to do so only upon the payment of a license fee as hereinbefore fixed for each such store, room or place.

**1240. Persons in charge of or managing undertaking rooms.]** No person other than a licensed undertaker shall be permitted to manage or control any undertaking room, store, place or establishment, or to prepare dead bodies for burial or cremation, or to manage or conduct funerals in the capacity of an undertaker; Provided that when any person licensed as an undertaker hereunder shall desire to have any room, store, place or establishment in which he is licensed to conduct, operate or maintain an undertaking establishment, managed, conducted or operated for him by any agent, assistant, clerk or employe, he shall be permitted to do so upon making application to the commissioner of health for that purpose, setting out in such application the name and residence of the person whom he desires to have act for him as aforesaid, and upon his furnishing evidence satisfactory to said commissioner that such person is qualified to act as an undertaker and possesses the same qualifications as are required to be possessed by applicants for a license as an undertaker in and by the provisions of section 1237 of this article. Upon receipt of such application, if the said commissioner shall be satisfied that such person is a fit person to conduct, manage or operate an undertaking establishment as an undertaker's assistant, he shall, upon payment by such applicant to the city collector of a fee of five dollars, issue or cause to be issued a certificate authorizing the person named in such application to act as an undertaker's assistant in charge of the room,

store, place or establishment described in such application for and during the term of the license held by such applicant.

**1241. Posting license or certificate.]** Every person licensed to engage in, carry on or conduct the business of undertaker, or to prepare dead bodies for burial or cremation, or to manage funerals, and conducting, maintaining or operating any store, room, place or establishment in which the business of undertaking is carried on, shall immediately upon the delivery to him of his license, post or cause to be posted, and when posted, to remain posted for the period of such license, in a conspicuous place on the wall of such store, room, place or establishment, used for the undertaking business, the license so issued to him, and if such place, room, store or establishment be in charge or control or under the management of a duly authorized assistant, as hereinbefore provided for, the certificate of such duly authorized assistant shall also be posted and kept posted, during the period for which it was issued, in the same manner as provided for the posting of undertakers' licenses. No person licensed hereunder as an undertaker, or holding a certificate as an undertaker's assistant, shall permit or allow any license or certificate issued to him to remain posted in any room, store, office or establishment used for the business of undertaking, after the expiration of the period for which such license or certificate was issued.

**1242. Revocation of license—surrender.]** If at any time before the expiration of any license or certificate issued hereunder such license or certificate shall be revoked, the licensee, or, in case of a certificate, the person named in such certificate, shall forthwith surrender and deliver to the commissioner of health, or his duly authorized representative, the license or certificate so revoked. If any person licensed hereunder, or the holder of any certificate issued hereunder shall neglect, fail or refuse to surrender and deliver such license or certificate as herein provided, the commissioner of health shall have power, and it shall be his duty, to seize and destroy such revoked license or certificate.

**1243. Duty of undertaker when body is brought by coroner or police.]** When a dead body is brought to any undertaker's room, store, place or establishment by the police, or by direction of the coroner, it shall be the duty of the undertaker or person in charge or control of such room, place, store or establishment, at which such body is received, to report the fact in writing to the department of health within twelve hours after the receipt of such body, giving, if known, the name and age of the deceased, and the date, place, and cause of death.

**1244. Undertaker's place not to be used as a public morgue.]** No person licensed as an undertaker under the provisions of this article shall permit or allow any room, store, place or establishment con-



ducted, used, operated or maintained by him in the undertaking business, to be used as a public morgue. If any dead human body is brought to any such room, store, place or establishment and if arrangements are not made for the burial or cremation of such body within one hundred hours from and after the hour of death, the body shall be taken by the undertaker to the Cook County morgue, or placed by him in one of the cemetery receiving vaults.

**1245. Unlawful to move dead body in public conveyance.]** No person shall move or convey any dead human body within the city in any carriage, hack, cab, ambulance, cart, wagon or other vehicle used as a public conveyance; Provided, however, that nothing in this section shall be held to prevent the use of a carriage for the removal or conveyance of the dead body of a child under eight years of age, who shall have died of a non-contagious disease.

**1246. Disinterred or decomposed body, not to be brought into the city without permit.]** No person shall bring or cause to be brought into the city, or be instrumental in bringing into the city, any disinterred human body or any dead human body which shall have become offensive or in a condition dangerous to the health of the community, without permission in writing first obtained for that purpose from the commissioner of health. If such body be that of a person who died of a contagious or infectious disease, or if such body has been shipped or transported from an infected place, permission shall be granted by the commissioner of health, only, upon the condition that such body be taken directly from the railroad station, terminus or landing place of any train, boat, vessel, or vehicle employed to bring such body into the city, to the cemetery and there immediately interred.

**1247. Undertaker or other person not to receive dead body from outside the city.]** No person licensed as an undertaker or acting as an undertaker's assistant, nor any common carrier or person engaged as an expressman or public cartman, shall receive from any railroad company, steamboat line, express company, or other person or corporation engaged as a common carrier, or in the conveyance of passengers, freight or merchandise, for hire or reward, any dead human body brought from any place outside the limits of the city, unless there shall be presented with such dead body a permit or certificate from the board of health of the place where the death occurred. Such permit or certificate shall contain the name and age of the deceased; the date, hour and place of death, the cause of death, and whether contagious or non-contagious, and the name of the physician or coroner certifying to such death, and if such death shall have been caused by reason of any infectious or contagious disease, or if such body shall be in an offensive condition, or in a condition dangerous to the health of the community, such body shall not be received by any such person unless in addition to such permit or certificate there

shall be produced the permission of the commissioner of health for the bringing into the city of such body as provided for in and by the preceding section.

**1248. Coffin to be used for burial of person dead of contagious or infectious disease.]** Every casket, coffin or other receptacle used to contain the body of any person who died of a contagious or infectious disease, shall be made absolutely water and air tight, and before being used for the burial of any such body or for the conveyance to any cemetery or place of burial of any such body, shall be approved as to its water and air tight qualities by the commissioner of health, or by one of his duly authorized inspectors. Any person licensed as an undertaker, or who is in charge or control of any undertaking establishment, or any other person who shall supply or use or permit to be supplied or used, for the burial of the body of any person who died of a contagious or infectious disease, any coffin, casket or other receptacle for such body which is not absolutely water and air tight and which has not been approved by the commissioner of health or one of the inspectors of the health department, or other person duly authorized by the commissioner of health, shall be fined not less than twenty-five nor more than one hundred dollars for each offense.

**1249. No public funeral of person dead of contagious disease.]** No person shall conduct or manage, or permit to be conducted or managed, anywhere within the city, a public funeral of any person who has died of diphtheria, membranous croup, scarlet fever, scarletina, or scarlet rash. The body of any person who has died from any one of the diseases hereinbefore mentioned, shall be buried or cremated within thirty-six hours from the time of death. No person shall be permitted to attend or be present at the funeral of any person who died of any one of the diseases hereinbefore mentioned, whose attendance is not necessary for the conduct of such funeral; Provided, however, that nothing herein contained shall be held to prevent the attendance or presence at any such funeral of any adult relative of the deceased person or any adult member of the family of such deceased person, who shall have been in attendance upon such deceased during his last sickness, and who shall have been exposed prior to such funeral to the disease from which such person died. No person shall take into any premises, room or place in which any person shall have died of any of the diseases hereinbefore mentioned, at any time after such person shall have died, and before such premises, room or place shall have been disinfected by the department of health, any funeral rug, flowers, drapery or other article or thing which may be the means of spreading contagion, nor shall any person take from any premises, room or place in which any such death shall have occurred any article or thing whatever which shall have been exposed to infection, or which may be the means of spreading contagion, un-

til such article or thing shall first have been disinfected by the department of health.

**1250. Permit for burial.]** No person shall receive a permit for the burial of any dead body, except a licensed undertaker who shall have obtained his license in accordance with and pursuant to the provisions of this article.

**1251. Penalty.]** Any person who shall violate any of the provisions of this article, or who shall refuse, neglect or fail to comply with any of the provisions of this article, shall be fined not less than ten nor more than two hundred dollars for each offense, and each and every day on which any such person shall be guilty of such violation or failure or refusal to comply with any of the provisions of this article shall constitute and be deemed a separate and distinct offense.

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## ARTICLE XXIII.

### VACCINATION.

**1252. Smallpox — vaccination — vaccine lymph.]** The commissioner of health may take such measures as he from time to time may deem necessary to prevent the spread of smallpox, and may require any person or all persons in the city to be vaccinated within such time as he shall prescribe. Said commissioner shall at all times keep on hand, so far as practicable, a sufficient quantity of vaccine lymph, so that he may be able to vaccinate any and all persons who may apply to him for that purpose, and he may vaccinate or revaccinate, or cause to be vaccinated or revaccinated without charge, any and all persons who may apply to him for that purpose. He shall also give a certificate of vaccination to any child who shall have been vaccinated, and who shall require such certificate in order to secure admission to any public or private school.

**1253. Compulsory vaccination — power of entry.]** The commissioner of health and any officer of the health department designated and authorized to act by such commissioner, shall have the power to enter any lodging house, boarding house, factory, work shop, schoolhouse, or other place where persons congregate or collect in crowds or in large numbers, for the purpose of vaccinating any person or all persons found therein, at any time when in the opinion and belief of said commissioner smallpox is epidemic, or where it shall have come to the knowledge of said commissioner that any person infected with smallpox or who has been exposed to infection has recently been allowed or permitted to be present in or about any such lodging house, boarding house, factory, workshop, schoolhouse, or other place as hereinbefore mentioned. Said commissioner or any

officer of the health department duly authorized and designated by him, shall have the power, and he is hereby authorized to vaccinate any person found in any such lodging house, boarding house, factory, workshop, schoolhouse, or other place as hereinbefore mentioned, whom the said commissioner shall deem it necessary or advisable to vaccinate. Said commissioner shall also have the power, and he is hereby authorized at any time when smallpox is prevalent or an epidemic of smallpox is or appears to be imminent, to vaccinate any person within the city whom he shall deem it necessary or advisable to vaccinate; Provided, however, that if any such person whom the said commissioner shall deem it necessary or advisable to have vaccinated shall desire to be vaccinated by his own physician, or by some duly licensed physician other than the commissioner of health, he shall be permitted to be vaccinated by such physician, if such vaccination be performed forthwith and in a manner satisfactory to the commissioner of health.

**1254. Duty of persons controlling minors.]** Every person, being the parent or guardian, or having the care, custody, or control of any minor, shall (to the extent of any means, power and authority of such parent, guardian or other person, that can properly be used or exerted for such purpose) cause and procure such minor to be so promptly, frequently and effectively vaccinated, that such minor shall not take, or be liable to take, the smallpox.

**1255. Prerequisite to admission to school.]** No principal or person in charge or control of any school shall admit to any such school any child who shall not have been vaccinated within seven years next preceding the admission or application for admission to any such school of such child, nor shall any such principal or person retain in or permit to attend any such school any child who shall not have been vaccinated as provided in this article.

**1256. Evidence of vaccination.]** The evidence of such vaccination to be presented to any such principal or person mentioned in the preceding section shall be a certificate signed by the commissioner of health or any physician duly licensed by the state board of health.

**1257. Penalty.]** Any person who shall violate any of the provisions of this article, or who shall resist or cause resistance to be made against the entry of the commissioner of health or of any officer of the health department, to any place described in this article, which said commissioner or any such officer shall desire to make entry into for the purpose of carrying out the provisions of this article or who shall refuse, neglect or fail to comply with any order or regulation made by said commissioner of health and necessary for the purpose of carrying into effect the provisions of this article, and any principal or person managing or in control of any public or private school, who shall in any way attempt to prevent the commis-

sioner of health, or any officer of the health department from exercising the power conferred upon him by this article, shall be fined not less than ten nor more than two hundred dollars for each offense.

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## ARTICLE XXIV.

### WORKSHOPS.

**1258. Workshop defined.]** Any place where goods or products are manufactured or repaired, cleaned or assorted, in whole or in part, for sale or for wages, shall be taken and be held to be a workshop; and whenever any house, room, or place is used for the purpose of carrying on any process of making, altering, repairing, or finishing for sale or for wages, any coats, vests, trousers, knee pants, overalls, cloaks, shirts, ladies' waists, purses, feathers, artificial flowers, or cigars, or any wearing apparel of any kind whatsoever intended for sale, it shall be deemed a workshop for the purposes of this article.

No one of the articles mentioned in this section shall be made, finished, altered, or repaired, in any room or apartment used as a living room or a sleeping room; nor shall any workshop be conducted, maintained, operated, or carried on in any cellar or basement.

**1259. Condition—inspection.]** Every such workshop shall be kept in a cleanly condition, and each and all of the garments made, altered, repaired or finished in any of such workshops shall be subject to inspection and examination by the department of health of the city and the inspectors thereof.

**1260. Unclean, abated.]** Every such workshop which shall not be kept in a cleanly condition and free from vermin and every matter of an infectious or contagious nature is hereby declared to be a public nuisance and it shall be the duty of the commissioner of health to cause the same to be abated.

**1261. License required—fee—annual.]** No person or corporation, shall carry on, keep, maintain or operate any such workshop in which any person shall be employed for hire without having been first licensed so to do by the city. Every person or corporation, carrying on, keeping, maintaining or operating any such workshop, in which any person shall be employed for hire, shall annually, on the first day of May of each year, pay a license fee of two dollars per year for each workshop so maintained by him or them, which license shall be issued and be good for a period ending with the first day of May following the issuance and delivery thereof.

**1262. License—application for.]** Any person or corporation desiring to keep, maintain, or operate a workshop as defined in this

article shall make application in writing to the commissioner of health for a license. Such application shall set forth the name and residence of the applicant, if an individual, and the name and residence of the principal officers of the applicant if a corporation, together with the location of the place for which such license is desired. Such application shall also describe the kind of work proposed to be done in such workshop, the maximum number of persons proposed to be employed in such workshop, the number of rooms or apartments therein, and any other facts which the commissioner of health may desire to have stated in such application concerning the proposed workshop.

**1263. Inspection by commissioner—issue of license.]** Within ten days after the receipt of such application it shall be the duty of the commissioner of health to make or cause to be made an examination of the place described in such application, for the purpose of ascertaining whether the location of such proposed workshop and the amount of space therein and the sanitary arrangements thereof are sufficient, so that the public health or the health of the persons to be employed in such proposed workshop will not be endangered.

If the said commissioner shall be satisfied that the proposed workshop will be kept and maintained in accordance with the provisions of this article and is of sufficient size and provided with proper sanitary arrangements to accommodate the maximum number of persons proposed to be employed in such workshop, he shall transmit such application to the mayor with his approval endorsed thereon; whereupon the mayor shall issue or cause to be issued to such applicant, upon payment to the city collector of the license fee herein required, a license authorizing such applicant to keep, conduct, or maintain a workshop at the place described in such application, for and during the period of such license. No license for the keeping of a workshop shall be issued unless the application for such license shall be approved by the commissioner of health.

**1264. Revocation of license.]** If, at any time after the granting of any such license, the commissioner of health shall certify to the mayor that the health of the city or of the persons employed in any such workshop, is endangered by the maintenance of such workshop, it shall be the duty of the mayor to revoke the license therefor.

**1265. License, posting.]** Every such license granted under the provisions of this article shall be posted in a conspicuous place in the workshop for which such license is issued.

**1266. Penalty.]** Any person or corporation violating any of the provisions of this article shall be fined not less than ten dollars nor more than one hundred dollars for each offense; and each day on which any such workshop shall be maintained, kept, carried on or operated without a license, shall be construed as a separate and distinct offense.

## MISCELLANEOUS PROVISIONS.

**1267. Ventilation of factories, workshops, etc.]** No person, being the owner, proprietor, lessee, manager or superintendent of any store, factory, workshop or other structure or place of employment where workmen and workwomen are employed for wages, shall cause, permit or allow the same or any portion or apartment of, or any room in such store, factory, workshop or other structure or place of employment, to be overcrowded or inadequate, faulty or insufficient in respect of light, ventilation, heat and cleanliness; and in every such building or apartment, or room in any such building, where one or more persons are employed as aforesaid, at least five hundred cubic feet of air space shall be allowed to each and every person employed therein, and fresh air supplied by ventilation at the rate of four complete changes of air per hour during the hours of employment. No part of such air supply shall be taken from any cellar or basement.

**1268. Free from effluvia, gas, etc.]** All such places of employment or service shall be kept in a cleanly condition, free from the effluvia of a sewer, drain, privy, stable or other nuisance; also as far as practicable from all gases, vapors, dust or other impurities generated by manufacturing processes or otherwise and injurious to health. Sufficient and separate water-closets shall be provided for male and female employes and such water-closets shall be properly ventilated.

**1269. Inspection of stores, workshops, etc.]** The commissioner of health shall visit or cause to be visited by an officer, all such places of employment or service within the city as often as he shall deem necessary to see that the provisions of this article are complied with, and shall have such arrangements made as may be deemed necessary for the safety and health of the employes, pursuant to the terms of this article and such laws and ordinances as may be in force concerning health and sanitary measures.

**1270. Seats for females.]** It shall be the duty of all employers of females in any mercantile or manufacturing business or occupation to provide and maintain seats for the use of such female employes, and to permit, to a reasonable extent, the use of such seats by such employes during the hours of their employment, for the preservation of their health. Seats shall be furnished at the ratio of one seat for every four female employes. All mercantile and manufacturing occupations and establishments where females are employed shall be inspected by officers of the health department to ascertain if this section is complied with, and any employer violating any of the provisions of this section shall be subject to a fine of not less than five dollars nor more than one hundred dollars.

**1271. Penalty.]** Any person violating, disobeying, neglecting or refusing to comply with any of the provisions of this article shall

be fined not less than ten nor more than one hundred dollars for each offense.

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ARTICLE XXV.

ANIMALS.

**1272. Stables — cleanliness — infected animal.]** Every person in possession, charge or control of any stable or place where any cows, horses or other animals are kept shall maintain the same at all times in clean and wholesome condition, and shall not allow any animal to be therein while infected with any disease, contagious or pestilential among such animals.

**1273. Notice of dead animal.]** Every person having within his possession or control or upon any premises occupied or owned by him, any dead animal not proper for food and liable to become noxious and detrimental to health, shall at once give notice thereof to the officer in charge of the nearest police station, and such officer shall at once cause notice thereof to be given to the department of health.

**1274. Diseased or sickly animal.]** No diseased or sickly horse, cattle, swine, sheep, dog or cat or other animals, nor any that have been exposed to any disease that is contagious among such animals, shall be brought into the city.

**1275. Disease of glanders or farcy.]** No person shall keep, retain or allow or employ to be kept or retained, at any place within the city, any horse, ass or colt, having the disease known as glanders or farcy.

**1276. Individual not to bury.]** No person shall leave in or throw into any place or street or public water, or offensively expose or bury anywhere within the city the body (or any part thereof) of any dead or fatally sick or injured animal; nor shall any person keep any dead animal, or any offensive meat, bird, fowl or fish in a place where the same may be dangerous to the life, or detrimental to the health of any person.

**1277. Diseased or injured on street.]** Any animal, being in any street or public place within the city, and appearing in the estimation of any officer or inspector of the department of health injured or diseased past recovery for any useful purpose, and not being attended and properly cared for by the owner or some proper person to have charge thereof for the owner, or not having been removed to some private premises or to some place designated by such officer or inspector within one hour after being found or left in such condition, may be deprived of life by such officer or inspector, or as he may



direct, and shall thereafter, unless at once removed by the owner, be treated as any other dead animal found on a street or place.

No person other than the inspectors or officers of the department of health, or department of police, or persons thereto authorized by contract or otherwise, shall in any way interfere with such dead, sick or injured animal in any street or place, and no person shall skin or wound such animal in such street or public place, unless to terminate its life as herein authorized, except that the owner or person having control of such animal may terminate the life thereof in the presence and by the consent of a policeman, or an inspector or officer of said department.

#### CABBAGE PLANT.

**1278. Uncovered cabbages.]** No cabbage head, cabbage stalk or other portion of any cabbage plant shall be allowed to remain upon any garden, field or open space within the city between the fifteenth day of October, in any year, and the fifteenth day of April next thereafter following, unless the same shall be covered under at least one foot of earth. Every owner, lessee or occupant of any field, garden or other open space who shall violate the provisions of this section shall be fined not less than five dollars nor more than two hundred dollars for each offense. Each day on which such violation shall be permitted to continue upon any field, garden or other open space within the city of which any such person may be owner, lessee or occupant shall constitute a separate and distinct offense.

#### DRINKING WATER.

**1279. Duty to preserve purity.]** It shall be the duty of every person, officer and department, having any authority and control in regard to any water designed for human consumption, to take all usual and also all reasonable measure and precautions to secure and preserve the purity and wholesomeness of such water.

**1280. Interfering with hydrant.]** No person shall destroy, or in anywise injure or impair any drinking-hydrant or part thereof in the said city; nor shall any person interfere with the use of or enjoyment of the water therein or therefrom, or interrupt the flow thereof, for or as a drink; nor shall any person put any dirty, poisonous, medicinal or any noxious substance into or near such water or hydrant whereby such water is made, or may be regarded, as dangerous or unwholesome as a drink.

#### PRIVY, VAULT, SINK, CESSPOOL.

**1281. Garbage or refuse in.]** No person shall throw into or de-

posit in any vault, sink, privy, catch basin or cesspool any offal, ashes, meat, fish, garbage or other substance, except that of which any such place is the appropriate receptacle; nor shall any slops or kitchen waste be permitted to run into any privy.

**1282. Not allowed to become offensive.]** The contents of any such tub, or of any receptacle, cesspool, privy, catch basin, vault, sink or water-closet, cistern, or anything in any room, excavation, vat, building, premises or place, shall not be allowed to become a nuisance or offensive so as to be dangerous or prejudicial to health.

**1283. Construction of.]** No vault, privy, catch basin, cistern or cesspool shall hereafter be made or rebuilt in the city, except in accordance with the ordinances of the city and the regulations of the department of health. The general privy accommodations of any place of human habitation shall not be permitted within any such place of habitation or under any sidewalk adjacent thereto. All cesspools shall be water tight.

**1284. Disinfection before removal.]** All putrid or offensive matter and all nightsoil and the contents of privies, catch basins, vaults, and cesspools, and all obnoxious substances in the city shall be removed in accordance with the provisions of the ordinances of the city relating thereto.

All such privies, catchbasins, vaults, and cesspools, when cleaned shall be disinfected with freshly burned lime, and the work of such disinfection shall be done by the person removing such contents.

**1285. Individuals not to move contents.]** The owner, tenant, or occupant of any building or premises in the city shall not employ, cause or permit any part of the contents of any vault, privy, catchbasin, or cesspool (being thereon, and of which he has control), to be removed, unless according to a permit or the regulations of the department of health.

**1286. Drawing off contents.]** No person shall draw off, or allow to run off into any ground, street or place of said city, the contents (or any part thereof) of any vault, privy, cistern, cesspool or catchbasin; nor shall any owner, tenant or occupant of any building to which any vault, catchbasin, privy or cesspool shall appertain or be attached, permit the contents or any part thereof to flow therefrom, or to rise within two feet of any part of the top, or such contents to become offensive; nor shall any privy or other erection in this section mentioned be filled with or covered with dirt, until its filthy contents shall be emptied.

**1287. Cisterns.]** No cistern for the collection and storage of rain water from roofs shall be constructed or placed within any building that is used for human habitation or occupancy.

**1288. Overflow from cistern.]** No cistern used for the collection and storage of rain water from roofs shall have its overflow pipe directly connected with any sewer or drain.

If an overflow pipe is provided for any such cistern such pipe shall lead to an area or gutter and shall have its outlet protected with a suitable metal screen.

**1289. Location of privy vault.]** It shall be unlawful for any person or corporation to maintain any privy vault or suffer the same to be and remain upon any premises abutting upon or adjoining any street, alley, court or public place, in which is located any public sewer. Any person or corporation violating the provisions of this section shall be fined not less than ten nor more than two hundred dollars for each offense.

**1290. Construction—location.]** It shall constitute and is hereby declared a nuisance for any person to erect or maintain any privy as near as forty feet to any street, dwelling, shop, school, factory, church, or public hall or within one hundred feet of any well, unless the same be furnished with a substantial vault six feet deep, and made tight, so that contents cannot escape therefrom, and sufficiently secured and inclosed. Any person owning, erecting or maintaining any such privy shall be subject to the penalty of ten dollars, and a like penalty for every week he shall continue the same after the first conviction.

**1291. Shall be abated when offensive.]** All privies or catchbasins, any part of the contents of which are above the surface, or within two feet of the surface of the earth, and all other privies or catchbasins that are foul, emitting smells and odors prejudicial to the public health, are hereby declared nuisances, and the commissioner of health or any health officer or inspector shall have power to abate the same.

**1292. Contents removed in suitable vehicles.]** No part of the contents of any privy, vault, sink or cesspool (except substances other than excrements insoluble in water) or any accumulation of any offensive fluid, liquid or semi-liquid substances or material, being in any excavation, cellar or place within the limits of the city, shall be removed therefrom, nor shall the same be transported through any of the streets or avenues of said city, unless and except the same shall be removed and transported by means of an air-tight iron wagon of a capacity of not less than seventy cubic feet, and in such a manner as shall prevent entirely the escape of any noxious or offensive odors therefrom, and by a permit from the department of health. All tools, pails and tubs used by the scavengers shall be made from galvanized iron or other metal and shall be free from all wood to prevent saturation of the night soil into them. Any violation of this section shall subject the offender to a penalty of not less than ten nor more than one hundred dollars.

#### CATTLE AND SWINE.

**1293.]** No person or corporation shall keep at any place or upon

any premises within the city not connected with or a part of a duly licensed slaughter house any cattle or swine, unless there be provided for each head of cattle at least one thousand square feet and for each swine one hundred square feet of outdoor space; and such cattle and swine shall be so kept as not to create a nuisance.

Any person or corporation violating any of the provisions of this section shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense; and each and every day on which any such person or corporation shall keep any cattle or swine in violation of the provisions of this section shall constitute a separate and distinct offense.

#### GAS MANUFACTORY.

**1294. Refuse in street—odors.]** No person or corporation being a manufacturer of gas, or engaged about the manufacture thereof, shall throw or deposit or allow to run, or permit to be thrown or deposited into any street or public place, any gas-tar or any refuse matter of or from any gas-house, works or manufactory; nor shall any such person or corporation allow any substance or odor to escape from such house, works or manufactory, or make any gas of such ingredients or quality that any substance shall escape therefrom, or be formed in the process of burning any gas, which shall be offensive or dangerous, or prejudicial to life or health. Nor shall any such person or corporation fail to use the most approved and all reasonable means for preventing the escape of odors.

#### FOUNDRY—MANUFACTORY.

**1295. Refuse and cinders removed.]** The owners, lessees, tenants, and managers of every blacksmith or other shop, forge, coal-yard, foundry, manufactory and premises where like business is done, shall cause all ashes, cinders, rubbish, dirt and refuse to be removed to some proper place, so that the same shall not accumulate at any of the above-mentioned premises, or in the appurtenances thereof, nor the same become filthy or offensive; nor shall any smoke, cinders, dust, gas or offensive odor be allowed to escape from any such building, place or premises, to the detriment or annoyance of any person not being therein or thereupon engaged.

#### MISCELLANEOUS REGULATIONS.

**1296. Duty to disclose ownership to inspector.]** Every agent, or other person having charge, control or management, or who collects or receives the rents, of any lands, premises or other property in the city, shall disclose the name or names of the owner or owners of such

land, premises or property, or the name or names of the person or persons for whom such agent or other person is acting, upon application being made therefor by any inspector, agent or officer of the department of health.

**1297. Jail — prison — station.]** No keeper or other officer, or person having control or authority in any city jail, prison, station or other place where any person may be kept or confined, shall needlessly or illegally cause or allow any peril or detriment to the health of any such person by reason of too little or too much heat, or of a want of food, drink or ventilation, or from the want or neglect of any other reasonable care, protection or precaution.

**1298. Water from roofs.]** Where no sewer exists in the street, the yard or area of every premises shall be so graded that all water from the roof or otherwise, and all filth shall flow freely from it and all parts of it into the street gutter, by a passage beneath the sidewalk which shall be covered by a permanent cover, but so arranged as to permit access to remove obstructions or impurities. No such passage or drain or any appurtenance thereof shall be permitted to become filthy or offensive or to create a nuisance.

**1299. Dust—feathers—noxious matters.]** No lime, ashes, coal, dry sand, hair, feathers or other substance that is in a similar manner liable to be blown by the wind, shall be sieved or agitated or exposed; nor shall any mat, carpet or cloth be shaken or beaten, nor any cloth, yarn, garment or material or substance be scoured, cleaned or hung, nor any business be conducted over or in any street or public place, or where particles therefrom set in motion thereby will pass into any such street or public place, or into any occupied premises; and no usual or reasonable precaution shall be omitted by any person to prevent fragments or other substances from falling, or dust and light material flying, into any street, place or building, from any building or erection while the same is being altered, repaired or demolished.

**1300. Offensively saturated ground.]** No ground or material filled with offensive matter or substance that will emit or allow to arise through or from the same any offensive smell or deleterious exhalation shall be opened or turned up, or the surface thereof removed, between the first day of May and the first day of October of any year, except according to permit first therefor obtained from the commissioner of health.

**1301. Use of premises.]** No person owning or in possession, charge or control of any building or premises shall use the same, or permit the use of the same, or rent the same to be used for any business or employment, or for any purpose of pleasure or recreation, if such use shall, from its boisterous nature, disturb or destroy the peace of the neighborhood in which such building or premises are situated, or be dangerous or detrimental to health.

**1302. Duty of scavengers.]** It shall be the duty of every con-

tractor, scavenger and person, his agents and employes, who has contracted or undertaken to remove any diseased or dead animal, offal, rubbish, garbage, dirt, street-sweepings, night-soil or other filthy, offensive or noxious substance, or is engaged about any such removal or in the loading or unloading of any such substance, to do the same with dispatch, and in every particular in a manner as cleanly and free from offense and with as little danger and prejudice to life and health as possible.

**1303. Matters and things detrimental to health.]** No building, vehicle, structure, receptacle or thing used or to be used for any purpose whatever, shall be made, used, kept, maintained or operated in the city, if the use, keeping, maintaining or operating of such building, vehicle, structure, receptacle or thing shall be the occasion of any nuisance, or dangerous or detrimental to health.

**1304. Bakery, slaughter house, packing house or food store not to be used for sleeping room.]** No room, apartment, store, or place used as a bakery, slaughter house, or packing house or wherein food stuffs are manufactured, stored, or kept, shall be used for sleeping purposes; and all such places shall be kept in a thoroughly sanitary condition and shall be subject at all times to inspection by the commissioner of health or any person designated by him for that purpose.

**1305. General prohibition of unhealthful business.]** No substance, matter or thing of any kind whatever, which shall be dangerous or detrimental to health, shall be allowed to exist in connection with any business, or to be used therein, or be used in any work or labor carried on or to be carried on or prosecuted in the city, and no nuisance shall be permitted to exist in connection with any business or in connection with any such work or labor.

**1306. Penalty.]** Any person who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this article or chapter, or who refuses or neglects to obey any of the rules, orders, or sanitary regulations of the department of health, or who omits, neglects or refuses to comply therewith, or who resists any officer or order or special regulation of said department of health, shall be fined not exceeding two hundred dollars nor less than ten dollars for each offense.

## CHAPTER XXXIII

### HOUSE OF CORRECTION.

**1307. House occupied, or to be occupied.]** The buildings and inclosures erected and now standing, or that may hereafter be erected on that part of the east one-half of the southwest one-quarter of section twenty-five, township thirty-nine north, range thirteen, east of the third principal meridian, lying north of the west branch of the south branch of the Chicago river, being between Twenty-sixth street and the west branch of the south branch of the Chicago river, situate and lying within the city of Chicago, are constituted and established a house of correction for the said city; and any buildings and inclosures that may hereafter be erected on any lot or lands purchased, owned or leased by the city for the purpose of a house of correction, whether within or without the limits of said city shall be subject to the conditions and provisions of this chapter.

**1308. Superintendent to control.]** The superintendent of the house of correction shall have the custody, rule, charge and keeping of the house of correction, and of all persons committed thereto, under the supervision and direction of the board of inspectors; and he shall enforce such order and discipline as shall be directed by such board.

**1309. Duties—day's labor, ten hours—daily credit.]** It shall be the duty of said superintendent to receive into the said house of correction such persons as may be committed thereto by any court or magistrate in Cook county, authorized by the laws of the state or by any ordinance of the city, or any town or village in Cook county having a contract with the city for the care of its prisoners, and to put each of such persons so committed as are able to labor to the work which they are respectively best able to do, not to exceed ten hours for each working day. Every person committed to the house of correction by a police magistrate or justice of the peace or upon appeal from either of such officers, for a violation of any city ordinance, shall be allowed for each day's work exclusive of his or her board, the sum of fifty cents, which shall be applied in payment and satisfaction of the fine and costs imposed upon such person.

**1310. County prisoners.]** Under any agreement to that effect between the city and the board of commissioners of Cook county, the superintendent shall also receive into said house of correction any person or persons who may be sentenced or committed thereto by any court or magistrate in and of Cook county, when such commitment is for a time not less than thirty days.

**1311. Violation of rules by inmates.]** Every person committed to the house of correction shall obey the superintendent thereof in all his lawful commands, and shall not molest or hinder him in the discharge of his duty, and shall not escape or attempt to escape or assist others to escape or attempt to escape therefrom, or destroy or injure any property appertaining to the house of correction, and shall not transgress or violate the rules of discipline or any of them. Any person violating this section shall be fined not more than one hundred dollars for each offense.

**1312. Superintendent molested.]** It shall be lawful for the superintendent of the house of correction, and it is hereby made his duty, to arrest or cause to be arrested and taken before a justice of the peace every person who shall molest or in any manner interfere with the said superintendent (or with any person in his custody or charge as a prisoner), while in the discharge of his duty, either in the house of correction or elsewhere; and any person who shall so molest or interfere with the superintendent of the house of correction or any person in his custody or charge, shall be fined not more than fifty dollars for each offense.

**1313. Mittimus with prisoner.]** It shall be the duty of all members of the police force of the city delivering any person to the house of correction to deliver to the superintendent the mittimus or execution, and return immediately to the comptroller a duplicate thereof, by virtue of which said person was committed.

**1314. Release of prisoner.]** No person shall be released from the house of correction by the superintendent thereof, except upon the payment of the fine or by an order of the mayor or some court of competent jurisdiction. He shall only release prisoners received by virtue of a contract with any county, village or town, by expiration of sentence, by order of the board of village trustees or by a court of competent jurisdiction.

**1315. Release of prisoner by order of court—report.]** In every case where a prisoner is released by the order of any court of competent jurisdiction the superintendent of the house of correction shall at once report same to the prosecuting attorney and accompany such report with a copy of the mittimus on which such prisoner was committed to his charge.

**1316. Board of inspectors to make rules.]** The board of inspectors shall have the right to make all proper rules and regulations for the purpose of carrying out the provisions of this chapter.

**1317. Report of county prisoners.]** The superintendent of the house of correction shall make out and deliver to the clerk of the county board of commissioners of Cook county on the first day of each quarter, a statement duly verified, showing the names of all persons who have been confined in the house of correction during the preceding quarter, under any provisions of the criminal code of this



state, the amount of fines and the number of days as shown by the executions or mittimus from the justice or inferior courts of this county, of their several confinements during said quarter, the date of their committal, and the names of all persons discharged or released during said quarter, and by what authority they were discharged or released.

**1318. Prisoners from other counties.]** The board of inspectors of the house of correction are hereby authorized to make contracts with any county in the state, or with the trustees of any town or village in Cook county, for the care and custody of prisoners for any term, at a price not less than twenty-five cents per day for each such prisoner. All contracts shall extend for the care of such prisoner until the expiration of his term of sentence; and the labor of every such prisoner shall be the property of and for the benefit of the city.

**1319. Payment of fines.]** Said superintendent is also hereby authorized to accept the fine imposed upon any prisoner committed to the house of correction, whenever the same shall be tendered to him, and all fines so received by him shall be paid to the city collector on the first business day after such fines are paid.

## CHAPTER XXXIV.

### LIBRARY.

**1320. Free library established.]** There is hereby established a free public library and reading room for the use of the inhabitants of the city, which shall be called "The Chicago Public Library."

**1321. Injury to books.]** Any person who shall wilfully or maliciously cut, write upon, injure, deface, tear or destroy any book, newspaper, plate, picture, engraving or other thing of value belonging to the Chicago public library or any of its branches shall be fined not less than five dollars nor more than fifty dollars for every such offense.

**1322. Injury to furniture.]** Any person who shall wilfully or maliciously commit any injury upon the Chicago public library, or upon the grounds, building, or buildings, furniture, fixtures or other property thereof, shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

**1323. Failure to return books.]** Any person who shall fail to return any book belonging to the Chicago public library, or any of its branches, according to the requirements of the by-laws duly made and adopted by the directors of such library for the government thereof, shall be fined not less than one dollar nor more than ten dollar for each offense.

## CHAPTER XXXV.

### LICENSES.

**1324. Mayor to grant and may revoke.]** In all cases where licenses are required to be procured, such licenses shall be granted by the mayor, attested by the city clerk, except where provision is expressly made for the granting of licenses by some other officer of the city. The mayor shall also have power to revoke, for cause, any license granted by him.

**1325. Application for license annually—how issued.]** All licenses authorized to be issued and required to be procured in and by this ordinance, which are granted by the mayor, shall be issued by the city clerk upon instruction or direction from the mayor so to do. Written application shall be made to the mayor in each case, except where otherwise specifically provided for, for such license, and a new application shall be made upon the expiration of any license so issued before a new license shall issue. Any license granted by the mayor and issued by the city clerk shall be sent by the city clerk to the city collector for the collection of the license fee to be paid therefor, and upon the payment of such license fee the city collector shall deliver the license to the licensee; Provided, however, that in cases where provision is made for the division of any license year into periods and the issuance of a license for any such periods is provided for, applications need not be made in such cases at the end of each period, it being the intention to require application to be made for licenses annually, only. In any case where frontage consents are required to be procured before a license shall issue, it shall not be necessary to secure the renewal of such frontage consents upon a renewal of such license, if such license be renewed forthwith, except where by law or special ordinance it is otherwise provided in regard to saloon licenses in local option districts.

**1326. Change of location—notice to city collector.]** If any person or corporation licensed by the mayor to carry on, engage in, or conduct any business or occupation required to be licensed by this ordinance and having designated in his or its license a particular place in which such business so licensed is to be carried on, engaged in, or conducted, shall, before the expiration of such license, change the location of such place of business, he or it shall forthwith notify the city collector of such fact, and no business shall be carried on, engaged in, or conducted under the authority of such license at such

new location until notice of such change has been given as herein provided.

**1327. Licenses to be posted—penalty.]** Every license granted by the mayor for the purpose of conducting any business or occupation required by this ordinance to be licensed and having designated therein a particular room, store, office, or place in which such business so licensed is to be conducted, shall be posted and during the period for which such license was issued shall remain posted at all times in a conspicuous place, so that the same may be easily seen, upon the wall of the principal room or office of the store, or place in which such licensed business or occupation is carried on; and when such license shall have expired it shall be removed from such place in which it has been posted, and no license which is not in force and effect shall be permitted to remain posted upon the wall or upon any part of any room, store, office, or place of business after the period of such license has expired.

Any person or corporation named as licensee in any license required to be posted under the provisions of this section who shall fail to comply with the provisions of this section or who shall violate any of the provisions of this section shall be fined not less than five dollars nor more than one hundred dollars for each offense.

**1328. Subject to ordinances.]** All licenses shall be subject to the ordinances which may be in force at the time of issuing thereof, or which may subsequently be passed by the city council.

**1329. Term of license—amount not to be apportioned—no rebate.]** No license shall be granted for a less period nor for a longer period than one year, unless specific provision shall elsewhere be made in this ordinance for the issuance of a license for a period of less than one year; and every license shall expire on the last day of April next following its issuance, unless otherwise specifically provided in this ordinance.

The fee for each license issued shall be collected in full at the time of the issuance and delivery thereof unless specific provision to the contrary be otherwise made in this ordinance.

In no event shall any rebate or refund be made of any license fee or part thereof by reason of the death of the licensee, or by reason of nonuser of such license, or by reason of a change of location or occupation of such licensee.

**1330. Mayor's discretion.]** In all cases where it is not otherwise expressly provided, the mayor shall have power to hear and grant applications for licenses upon the terms specified by this ordinance; and all licenses shall be issued to such person or persons as shall comply in all respects with the provisions of this ordinance, and as the mayor in his discretion shall deem suitable and proper persons to be licensed.

**1331. Non-payment of fee.]** Whenever it shall appear from the license registers kept by the city clerk, or the books of the city collector, or city comptroller, that any person holding any license or permit of any kind or privilege granted by the city, has failed to pay the amount due thereon, the clerk, collector, or comptroller as the case may be, shall report the fact to the mayor, whose duty it shall be promptly to revoke such license, permit or privilege.

**1332. Transfer of license.]** No license granted under this ordinance shall be assigned or transferred except as hereinafter provided, nor shall any such license authorize any person to do business or act under it but the person named therein. Any person to whom any license shall have been issued may with the permission of the mayor assign and transfer the same to any other person, and the person to whom such license is issued or the assignee of such license, shall surrender such assigned license, and have a new license issued for the unexpired term of the old license, authorizing the assignee or transferee of such license to carry on the same business or occupation at such place as may be named in such new license: Provided, that in all cases the person obtaining such new license shall give a bond with sureties which shall conform as near as may be to the bond upon which such surrendered license was issued: Provided further, that nothing herein contained shall be held to authorize the assignment or transfer of saloon or dramshop licenses, such licenses shall be non-assignable and not transferable.

**1333. License bonds—approval of.]** Any bond given by any person or corporation to the city under its license ordinances shall, before a license is granted, be approved by the city collector.

(Note: See Supplement.)

**1334. Investigation of sureties.]** The city collector shall thoroughly investigate the sureties on any bond and if satisfied that the same are good shall approve such bond and the city collector shall thereupon deliver to the licensee the license issued by the city clerk upon the payment of the regular license fee.

**1335. When license fees are divisible.]** When specific provision is made anywhere in this ordinance for the issuance of a license for less than the full annual license fee or for the issuance of a license for a part or portion of a license year upon the payment of a proportionate amount of the annual license fee, the amount to be so paid for such license shall be computed from the first day of the period during which such license is issued, if the license year be divided into periods, or if provision be made for monthly periods it shall be computed as running from the first day of the month in which such license was issued: Provided, that no person or corporation shall be entitled to the benefit of the provisions of this section who is engaged without a license so to do in the business for which he applies for license at the time of such application.

## CHAPTER XXXVI.

### LIQUOR.

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#### ARTICLE I.

##### SALOONS AND DRAMSHOPS.

**1336. License—application—bond.]** The mayor shall grant a license for the keeping of a saloon or dramshop within the city to any person who shall apply to him in writing therefor, and who shall furnish satisfactory evidence of good character. Each applicant shall execute to the city a bond, with at least two sureties to be approved by the city collector, in the sum of five hundred dollars (which said bond shall be in addition to the three thousand dollar bond required by the statutes of the state of Illinois); conditioned that the applicant will faithfully observe and conform to all ordinances in force at the time of the application, or thereafter passed, during the period of the license applied for, concerning or in any manner relating to the sale of intoxicating liquor, or the conduct and management of saloons or dramshops; and conditioned further to keep closed on Sundays all doors opening out upon any street from the bar room, or room or rooms where such saloon or dramshop is to be kept, and that all windows opening upon any street from such bar room, or room or rooms shall on Sunday, except between the hours of 1 o'clock A. M. and 5 o'clock A. M. be provided with blinds, shutters or curtains, placed and maintained in such a manner as to obstruct the view from such street into such bar room, or room or rooms, and conditioned further that no window in such bar room, or room or rooms shall be painted or covered in such a manner that between the hours of 1 o'clock A. M. and 5 o'clock A. M. of each day a clear view may not be had, from the street, through any such window into such bar room, or room or rooms. No application for a license shall be considered until the bond herein required shall have been filed.

**1337. Contents of application—limits of dramshop described.]** No license for the keeping of any saloon or dramshop shall be granted unless the applicant for such license shall agree in such application to comply with all the regulations and conditions imposed by the laws of the state of Illinois and the ordinances of the city in force at

the time of making such application, or that may thereafter be passed relating to or concerning in any manner saloons or dramshops; the conduct, management and maintenance of same, and the sale or disposal of intoxicating liquors; and shall also agree in such application that during the term of such license he will not permit any spirituous, vinous, malt or intoxicating liquor of any kind whatever to be sold, served or given away in such saloon or dramshop by any female, unless such female be the applicant, or be the wife of the applicant, or be related to such applicant by consanguinity or affinity, and then and there residing with such applicant as a member of his family; and shall further agree that if the mayor shall be satisfied that at any time during the period of such license any such liquor is being so sold, served or given away in such saloon or dramshop contrary to and in violation of the agreements made in such application, in such case the mayor may forthwith revoke such license and that the license fee paid therefor shall be forfeited to the city. Such application shall also specifically describe the room or rooms in which it is proposed to conduct and maintain such saloon or dramshop. No license shall be issued for the keeping of any saloon or dramshop where more than one room is to be used, unless all the rooms, which it is intended to use are directly connected, adjacent and contiguous with and to each other, and upon the same floor; and every license issued for a saloon or dramshop shall describe and define with certainty the room or rooms in which such saloon or dramshop is to be conducted or maintained. No person licensed to keep a saloon or dramshop shall be permitted to sell, give away, or otherwise dispose of any intoxicating liquor of any kind whatsoever at any place other than the place specifically described in his license, whether such place be in the same building or not.

**1338. Every place where liquor is retailed a dramshop.]** Every place where spirituous, malt, vinous, or intoxicating liquor of any kind whatsoever is sold, given away, or otherwise disposed of, in quantities of less than one gallon, whether consumed, or to be consumed, upon the premises or not, and whether sold, given away, or disposed of in any grocery store, department store, liquor store, or other place whatever, shall be deemed and is hereby defined to be a dramshop, and is hereby required to be licensed in accordance with the provisions of this article; and no person shall keep, conduct, or maintain any such place unless he be licensed so to do in accordance with and pursuant to the provisions of this article.

**1339. Fee.]** Any person, on compliance with the aforesaid requirements and the payment in advance to the city collector of a license fee at the rate of five hundred dollars per annum, shall receive a license under the corporate seal, signed by the mayor and attested

by the city clerk, which shall authorize the person or persons therein named to keep a dram shop or saloon and to sell, give away, or barter intoxicating liquors, in quantities less than one gallon, in the place designated in the license and for the period stated therein.

**1340. Periods of payment.]** The saloon license year is hereby divided into three periods, as follows: From May first to August thirty-first, inclusive, shall be known as the first period; from September first to December thirty-first, inclusive, shall be known as the second period; from January first to April thirtieth, inclusive, shall be known as the third period. Licenses may be issued for the full license year or for the unexpired portion thereof, or for any period or the unexpired portion thereof; and the fee payable therefor shall be five hundred dollars in advance for the full license year, or one hundred and sixty-six dollars and sixty-seven cents in advance for each period: Provided, that if any license shall issue for the unexpired portion of the license year or for the unexpired portion of any period, the fee to be paid therefor shall bear the same ratio to the sum required for the whole year that the number of days in such unexpired portion bears to the whole number of days in the year; and provided, further, that no license shall extend beyond the thirtieth day of April next following its issuance.

**1341. Winerooms prohibited.]** No person operating, maintaining or conducting a saloon, dramshop, or other place in which malt, vinous, spirituous or intoxicating liquors of any kind whatsoever are sold, given away, or otherwise dealt in, shall establish or maintain in connection with such saloon, dramshop or other place, either as a part thereof or as an adjunct thereto, any wineroom or private apartment the interior of which is shut off from the general public view by doors, curtains, screens, partitions, or other device of any kind whatsoever.

**1342. Number of persons to be served.]** No person operating, maintaining, or conducting a restaurant, cafe, dining room, or other like place shall serve, or permit to be served, any malt, vinous, spirituous or intoxicating liquors of any kind whatsoever in any private apartment which may be maintained as a part of or an adjunct to such restaurant, cafe, dining room or other like place, to any number of persons less than four, unless all the members of such party numbering less than four be of the same sex.

**1343. Penalty.]** Any person violating any of the provisions of the two preceding sections shall be fined not less than ten dollars nor more than one hundred dollars for each offense; and provided further, that in any case where any person maintaining or conducting a saloon, dramshop, restaurant, cafe, dining room or other like place at or in which malt, vinous, spirituous or intoxicating liquors of any kind are sold, given away, or otherwise dealt in, shall violate any



of the provisions of the two preceding sections, in addition to the penalty above fixed, such person shall have his license revoked, and shall not be permitted to again obtain a license to operate, conduct or maintain a saloon, dram shop, restaurant, cafe, dining room, or other like place at or in which malt, vinous, spirituous or intoxicating liquors are sold, given away, or otherwise dealt in, within the city, for a period of two years from and after the date of the conviction of any such person of the violation of any of said provisions.

**1344. Ill-governed places—penalty.]** Every common or ill-governed house, or other place kept by any person licensed under this article where any person is permitted or suffered to play any game of chance for money or other valuable thing, is hereby declared a public nuisance; and no person shall keep or maintain such public nuisance, under a penalty of not less than five dollars nor more than one hundred dollars for each offense.

**1345. Revocation of licenses.]** Any license granted under this article may be revoked upon written notice by the mayor, whenever it shall appear to his satisfaction that the party so licensed shall have violated any provision of any ordinance of the city relating to intoxicating liquors or any condition of the bond provided for in section 1336 of this article. Upon complaint to the mayor that any place licensed as a saloon is a resort of disreputable persons, the mayor shall cause an investigation to be made as to such complaint, and if found to be true, he shall forthwith revoke the license issued to keep such saloon. Upon report to the mayor by the police department, that any saloon is the resort of disreputable persons, the mayor shall at once revoke the license of the keeper of such saloon.

**1346. License to be posted — penalty.]** Every person licensed to keep a saloon or dramshop under the provisions of this article, shall immediately upon the receipt of his license, cause such license to be posted in a conspicuous place upon some part of the wall of the room (contiguous to and above the bar, if any there be), in which such saloon or dramshop is kept and such license shall be kept so posted until the expiration thereof. At the expiration of such license the licensee shall forthwith cause such license to be taken down and removed from the place on which it was posted. Any person violating any of the provisions of this section shall be fined not less than twenty-five, nor more than one hundred dollars for each offense.

**1347. Posting spurious or expired license—penalty.]** Any person keeping, conducting or maintaining a saloon or dramshop, whether he be licensed so to do or not, who shall post or cause to be posted in or upon any part of the bar room, or any room or rooms used for such saloon or dramshop; or who shall permit to remain so posted any paper or document purporting to be a saloon or dramshop license issued under the authority of the city and which is not such in fact,

or who shall permit to be posted or to remain posted upon or in any bar room, or room or rooms used for a saloon or dramshop, any saloon or dramshop license issued for a period which has expired, shall be fined not less than twenty-five nor more than one hundred dollars for each offense.

**1348. Unlicensed sale—penalty.]** Whoever not having a license to keep a dramshop shall, by himself or another, either as principal, clerk, or servant, keep, conduct or maintain any saloon, dramshop, grocery, store, or other place, within the city wherein spirituous, malt, vinous or intoxicating liquor of any kind whatsoever is sold, given away, or in any manner dealt in, in quantities of less than one gallon, or who by himself, or another, either as principal, clerk or servant, shall directly or indirectly in any manner sell, give away, or otherwise deal in such liquor in quantities of less than one gallon, or in any quantity to be drank upon the premises, without being licensed so to do in accordance with and pursuant to the provisions of this article, and of the ordinance of the city, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense; and each and every day on which any such person shall sell, give away, or in any manner deal in such liquor, in violation of the provisions of this section, or of the ordinances of the city shall constitute a separate and distinct offense.

**1349. No sale except at place licensed—penalty.]** No person licensed under the provisions of this article to keep a saloon or dramshop, shall, by himself, his agent or servant, solicit, ask or take any order from any person within the city for the sale or delivery of any spirituous, malt, vinous or intoxicating liquor of any kind whatever, in quantities of less than one gallon, at any other place than the place named and specifically described in such person's license; nor shall any such person sell, offer for sale, or deliver any such spirituous, malt, vinous or intoxicating liquor, in quantities of less than one gallon, at any place other than that named and specifically described in his license within the city. Provided, that nothing herein contained shall be held to prevent any person conducting or maintaining a grocery store, department store, liquor store or other place licensed as a dramshop, where intoxicating liquor is not consumed or permitted to be consumed upon the premises, from soliciting and taking orders at such grocery store, department store, liquor store or other place from any person and from making deliveries in the city pursuant to such orders. Any person violating any of the provisions of this section shall be fined not less than twenty-five nor more than one hundred dollars for each offense.

**1350. Prohibited hours of sale—removal of window shades, blinds, and screens—unobstructed view of bar and room from street—penalty.]** No person shall keep open any saloon, bar-room or tippling house

during the night time between the hours of one o'clock a. m. and five o'clock a. m. No person, other than employes of such saloon, shall be permitted to remain in any saloon or bar-room between the hours of one o'clock a. m. and five o'clock a. m. All doors opening out upon any street from any saloon or bar-room and all other doors opening out of any saloon or bar-room shall be securely locked at the hour of one o'clock a. m. and shall be kept locked until the hour of five o'clock a. m. daily. All window shades, blinds or screens in any saloon or bar-room shall be raised, opened or removed at the hour of one o'clock a. m. and be kept raised, opened or removed until the hour of five o'clock a. m. daily, so that a free and unobstructed view of the bar and the interior of any such saloon or bar-room shall be had from the street and exterior of such saloon or bar-room; all inside screens, doors and partitions obstructing a free view of the bar and saloon from the street shall be removed or opened so that between the hours of one o'clock a. m. and five o'clock a. m. daily an unobstructed view of the interior thereof may be had from the exterior; and a light or lights shall be kept burning in the interior of such saloon or bar-room sufficiently illuminating the interior thereof so that a clear view of the bar and entire interior of such saloon or bar-room may be obtained from the exterior thereof between the hours of one o'clock a. m. and five o'clock a. m. each day. Any person violating any of the foregoing provisions shall be fined not less than twenty dollars nor more than one hundred dollars for each offense.

**1351. Habitual drinkers—notice.]** Whenever the wife or any other relative of any person habitually addicted to the use of intoxicating drink, by notice in writing personally served, shall make a request to any person licensed to deal in malt, vinous, spirituous or intoxicating liquor of any kind, not to sell, or in any manner give away any such liquor to such person, it shall thereafter be unlawful for such dealer to sell or give away any such liquor to such person. Any person violating the provisions of this section shall be fined not less than twenty dollars nor more than one hundred dollars for each offense.

**1352. Minors—penalty.]** No person owning or operating a saloon, dramshop, grocery, or other place where intoxicating liquors are sold or given away shall permit any minor to drink therein intoxicating drinks of any kind, or to play with dice, dominoes, cards, balls or other articles used in gaming; nor shall any such person, owning or operating any saloon, dramshop, grocery, or place aforesaid, sell, give away or deliver to any minor any malt, vinous, spirituous or intoxicating liquors, either to be drunk on the premises or carried away.

Any person violating any of the provisions of this section shall

be fined not less than twenty dollars nor more than one hundred dollars for each offense.

**1353. Annexed territory.]** When any territory has heretofore or shall hereafter be annexed to the city, and within such territory so annexed, or any part thereof, the issuing of dramshop licenses was prohibited or regulated by ordinance of the city, village or incorporated town of which such territory was before such annexation a part, then in such case no license shall be issued by the mayor to keep a dramshop within any portion of the territory so annexed wherein the issuing of dramshop licenses was prohibited before such annexation by the corporate authorities of the municipality of which it was formerly a part; or if, within any such territory so annexed, licenses to keep dramshops were prohibited unless a petition therefor was filed, signed by a majority of the legal voters residing within one-half mile of the proposed location, then in such case the mayor shall not issue a license to keep a dramshop within such territory, unless a petition shall be filed with him signed by a majority of the legal voters residing within one-half mile of the location of the proposed dramshop.

**1354. No saloons on boulevards—exception.]** No license shall be issued to any person for the keeping of a saloon, dramshop, or other place for the selling, giving away, or dealing in, of any malt, vinous, or intoxicating liquor at any place located on or along any boulevard or pleasure driveway; Provided, however, that this shall not apply to Washington boulevard and Jackson boulevard east of Centre avenue, nor to Michigan avenue north of Twelfth street.

Note: See appendix for local option and prohibition districts.

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## ARTICLE II.

### BREWERS AND DISTILLERS.

**1355. License—definition—application—bond.]** No person or corporation shall carry on the business of a brewer or distiller, within the city without having first obtained a license for such business, as hereinafter provided, for each brewery and each distillery conducted by such person or corporation. Any person or corporation desiring to carry on the business of brewer or distiller in the city shall file with the mayor an application containing the full name of the applicant, the business proposed to be carried on, and whether such business will include brewing or distilling within the city, or only disposing within the city of liquors brewed or distilled by the applicant elsewhere, the location of the place or places of business of the appli-

cant, including the location of the brewery or distillery whose product is to be disposed of in the city under the license, and the name of each and every agent within the city representing any such applicant whose business may be carried on in the city through an agency. A separate application shall be made in respect to each brewery or distillery wherever located. The applicant shall file with the application in the office of the city collector a bond in the sum of one thousand dollars, with good and sufficient sureties to be approved by the city collector, and conditioned to comply with the provisions of this article.

**1356. Fee.]** Upon compliance with the foregoing section and payment to the city collector of an annual license fee of five hundred dollars, or, if application be made after the month of May of any year, then upon payment of a sum bearing the same ratio to the sum required for the whole year as the remaining number of months of the term for which the license is granted (inclusive of the month in which application is made) bears to the whole number of months in the year, any such applicant shall be entitled to a license, signed by the mayor and attested by the city clerk, to carry on so much of the business of a brewer or distiller within the city as may be stated in the application therefor.

**1357. Vehicles marked.]** No malt liquors shall be sold or delivered from any wagon or other vehicle used or operated by any brewer or distiller licensed hereunder unless there shall be painted on each side of such vehicle, in a conspicuous place, and in legible letters not less than five inches in height, the name of such licensee, the location by street and number of the place of business of such licensee, and the number of the license held by such licensee.

**1358. Penalty.]** Any person or corporation violating any of the provisions of this article shall be fined not less than one hundred dollars nor more than two hundred dollars for each offense, and a separate offense shall be regarded as committed each day on which such person or corporation shall violate any of the provisions of this article.

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### ARTICLE III.

#### WHOLESALE MALT LIQUOR DEALERS.

**1359. License—definition.]** No person or corporation shall within the city sell or offer for sale any malt liquor in quantities of one gallon or more, at a time, without having first obtained, as hereinafter provided, a license so to do for each place of business where such malt liquor shall be sold or offered for sale, or for all wagons run

for the purpose of such selling or offering for sale without any fixed place of business therefor. But no brewer who has taken out a license as such from the city and who sells only malt liquor of his own production, shall be required to obtain the license herein prescribed, on account of such sales. The selling or offering for sale within said city of any malt liquor in quantities as aforesaid, by a grocer or bottler, shall be held to be covered by this article, and no grocer or bottler shall sell or offer for sale in said city any malt liquor in quantities as aforesaid without obtaining a license so to do under this article. Selling or delivery wagons run by any vendor in connection with any place of business where malt liquors shall be sold or offered or kept for sale in quantities as aforesaid shall be included in and covered by the license for such place of business, and wagons run by a vendor without a fixed place of business shall be covered by a license specifically therefor.

**1360. Application—bond.]** Any person or corporation desiring to engage in the business of selling malt liquor in quantities of one gallon or more at a time, shall file with the mayor an application, containing the full name of the applicant, the business carried on or proposed to be carried on by the applicant, the location of the place of business for which a license is desired, and the number of selling or delivery wagons run in connection therewith; and the applicant shall also file with the application a bond in the sum of five hundred dollars, with good and sufficient sureties to be approved by the city collector, conditioned for compliance with the provisions of this article. Upon the filing of such application and bond, and the payment of the license fee hereinafter prescribed, any such applicant shall be entitled to a license, signed by the mayor and attested by the city clerk, to carry on within the city the business of wholesale malt liquor dealer.

**1361. Fees.]** There shall be paid in advance to the city collector for each and every license hereunder for the sale of malt liquors in quantities of from one gallon to six gallons at a time, the sum of fifty dollars per annum; and there shall be paid in advance to the city collector for each and every license hereunder for the sale of malt liquors in quantities of more than six gallons at a time, the sum of five hundred dollars per annum; and a further sum of twenty-five dollars per annum, except as hereinbefore otherwise provided, shall be paid for each wagon or other vehicle above one employed in peddling or delivering any malt liquors in quantities of one gallon or more under this article, the use of one such wagon or vehicle being hereby permitted to each licensee without any extra fee for such wagon.

Provided, that if application be made after the month of May in any year, the sum required to be paid shall bear the same ratio to

the sum required for the full year, that the number of months remaining (inclusive of the month in which application is made) bears to the whole number of months in the year.

**1362. Bottling liquors.]** The bottling of malt liquors shall not be conducted except in the midst of clean and wholesome surroundings, and in all cases the building or apartment in which such bottling is conducted shall have a floor of cement or stone, or other suitable material impervious to moisture, and the same shall be kept at all times carefully cleansed.

**1363. Power of entry—sanitary condition.]** Any special officer detailed, directed or instructed by the commissioner of health to act as inspector shall have the right and it shall be his duty to enter and have full access to all places where such bottling of malt liquors is carried on, and he shall inspect, view and examine the premises, and all bottles and other receptacles therein with reference to their cleanliness and sanitary condition, and he is authorized, directed and empowered to remove or cause to be removed and abated any unfit, unclean or injurious conditions attending the bottling or keeping of such malt liquors. Any person or corporation failing, neglecting or refusing to obey or conform to any reasonable order or direction made by the proper officer under this section, shall be deemed guilty of a violation of this article, for each case and each day of such failure, neglect, delay or refusal.

**1364. Notice of change of location.]** If after the issuance and delivery of a license hereunder any change be made in the location of the place of business covered thereby, notice thereof shall forthwith be given to the city collector, and no business shall be carried on at such new location until the notices herein required shall have been given.

**1365. Vehicles marked.]** No malt liquors shall be sold or delivered from any wagon or other vehicle used or operated by any person or corporation licensed hereunder unless there shall be painted on each side of such vehicle, in a conspicuous place and in legible letters not less than five inches in height, the name of such licensee, the number of the license held by such licensee, and the location by street and number of the place of business, if any, covered by such license.

**1366. Penalty.]** Any person or corporation who shall violate any of the provisions of this article shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense, and a separate offense shall be regarded as committed each day on which such person or corporation shall continue any such violation.

## ARTICLE IV.

## WHOLESALE SPIRITUOUS LIQUOR DEALERS.

**1367. License.]** No person or corporation shall sell or offer for sale any spirituous liquor in quantities of one gallon or more, at a time, within the city without first having obtained, as hereinafter provided, a license so to do, for each place of business where spirituous liquor is so sold or offered for sale. But no distiller, who has taken out a license as such, and who sells only distilled spirits of his own production at the place of manufacture, shall be required to obtain the license herein prescribed, on account of such sales.

**1368. Application—bond.]** Any person or corporation desiring to engage in the business of selling spirituous liquors, in quantities of one gallon or more at a time, shall file with the mayor an application containing the full name of the applicant, and the location of the place of business for which a license is desired, and shall file with such application, in the office of the city collector, a bond in the sum of five hundred dollars, with good and sufficient sureties to be approved by the city collector, conditioned for compliance with the provisions of this article.

**1369. Fee.]** Upon compliance with the foregoing section, and payment to the city collector of an annual license fee of one hundred dollars, or, if application be made after the month of May of any year, then upon payment of a sum bearing the same ratio to the sum required for the whole year as the remaining number of months of the term for which the license is granted (inclusive of the month in which application is made) bears to the whole number of months in the year, any such applicant shall be entitled to a license signed by the mayor and attested by the city clerk, to sell and offer for sale within the city, spirituous liquor in quantities of one gallon or more at a time, at the place of business specified in the application and not elsewhere.

**1370. Notice of change of location.]** If after the issuance and delivery of a license hereunder any change be made in the location of the place of business covered thereby, notice thereof shall forthwith be given the city collector, and no business shall be carried on at such new location until the notices herein required shall have been given.

**1371. Vehicle marked.]** No spirituous liquors shall be sold or delivered from any wagon or other vehicle used or operated by any person or corporation licensed hereunder unless there shall be painted on each side of such vehicle, in a conspicuous place, and in legible letters not less than five inches in height, the name of such licensee,



the number of the license held by such vendor, and the location, by street and number, of the place of business covered by such license.

**1372. Penalty.]** Any person or corporation violating any of the provisions of this article shall be fined not less than fifty dollars, nor more than two hundred dollars for each offense, and a separate offense shall be regarded as committed each day on which such person or corporation shall continue any such violation.

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## ARTICLE V.

### WHOLESALE VINOUS LIQUOR DEALERS.

**1373. License.]** No person or corporation shall sell, or offer for sale, any vinous liquor in quantities of one gallon or more, at a time, within the city without first having obtained, as hereinafter provided, a license so to do for each place of business where vinous liquor is so sold or offered for sale.

**1374. Application—bond.]** Any person or corporation desiring to engage in the business of selling vinous liquor, as aforesaid, shall file with the mayor an application containing the full name of the applicant, and the location of the place of business for which a license is desired, and shall file with such application, in the office of the city collector, a bond in the sum of three hundred dollars, with good and sufficient sureties to be approved by the city collector, conditioned for compliance with the provisions of this article.

**1375. Fee.]** Upon compliance with the foregoing section, and payment to the city collector of an annual license fee of fifty dollars, or, if application be made after the month of May of any year, then upon payment of a sum bearing the same ratio to the sum required for the whole year as the remaining number of months of the term for which the license is granted (inclusive of the month in which application is made) bears to the whole number of months in the year, any such applicant shall be entitled to a license signed by the mayor, and attested by the city clerk, to sell and offer for sale within the city vinous liquor in quantities of one gallon or more at a time, at the place of business specified in the application and not elsewhere.

**1376. Notice of change of location.]** If, after the issuance and delivery of a license hereunder, any change be made in the location of the place of business covered thereby, notice thereof shall forthwith be given to the city collector, and no business shall be carried on at such new location until the notice herein required shall have been given.

**1377. Vehicles marked.]** No vinous liquor shall be sold or de-

livered from any wagon or other vehicle used or operated by any person licensed hereunder unless there shall be painted on each side of such vehicle, in a conspicuous place, and in legible letters, not less than five inches in height, the name of such licensee, the number of the license held by such licensee, and the location, by street and number, of the place of business covered by such license.

**1378. Penalty.]** Any person, or corporation violating any of the provisions of this article shall be fined not less than fifty dollars nor more than two hundred dollars for each offense, and a separate offense shall be regarded as committed each day on which such person or corporation shall continue any such violation.

## CHAPTER XXXVII.

### LUMBER.

**1379. License—application—fee.]** No person or corporation shall keep, carry on, conduct or maintain a lumber yard, or other place where lumber is sold from yard, car, vessel or place, or where lumber is stored for the purpose of seasoning or drying the same, or where second hand lumber is stored or kept for sale, without first having obtained a license therefor as hereinafter provided. Any person or corporation desiring to keep, conduct or maintain a lumber yard or place for the selling, storing or keeping of lumber as described hereinbefore, shall make application in writing to the mayor for a license so to do, setting forth therein the name of the applicant and the place where it is desired to keep such lumber yard or place for the storage or sale of lumber, and thereupon upon payment by such applicant to the city collector of a license fee at the rate of one hundred dollars per annum, the mayor shall issue or cause to be issued a license to such applicant, attested by the city clerk, authorizing the applicant to keep, conduct or maintain a lumber yard or place for the storage or sale of lumber at the place designated in such application. If such applicant shall desire or intend to keep or conduct more than one lumber yard or place for the storage of lumber, a license shall be secured for each such lumber yard or place, and a full license fee as herein fixed shall be charged for each such license so issued.

**1380. Change of location.]** If, after the issuance and delivery of a license under the provisions of this chapter, any change is made in the location of the place of business covered thereby, no business shall be engaged in or carried on at such new location under such license until a notice of such change shall have been given, in writing, by the licensee to the city collector.

**1381. Penalty.]** Any person or corporation violating any of the provisions of this chapter shall be fined not less than ten, nor more than one hundred dollars for each offense. And each and every day on which any lumber yard, or place for the storing or sale of lumber shall be kept or maintained without a license as herein required, or on which any lumber shall be stored, piled or kept within one hundred feet of any planing mill or woodworking manufactory in violation of the provisions of this chapter, shall constitute a separate and distinct offense.

## CHAPTER XXXVIII.

### MARKETS.

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#### ARTICLE I.

##### RANDOLPH STREET MARKET.

**1382. Market established—hours.]** The roadway of West Randolph street from the west line of Desplaines street to the east line of Halsted street shall be set apart and used for market purposes, except the space of twenty feet nearest the curb-stone, as hereinafter designated, and except the space occupied by railway tracks, and the space of ten feet on each side of said tracks, on each and every day of the week except Sunday, during the following hours, to wit: From November first to May first the market shall open at ten o'clock a. m. and close at two o'clock p. m., and from May first to November first the market shall open at four o'clock a. m. and close at ten o'clock a. m.; Provided, however, the said market shall not be occupied or used so as to obstruct public travel on said Randolph street.

**1383. Superintendent—appointment.]** There is hereby created the office of superintendent of the West Randolph street market. He shall be appointed by the mayor by and with the advice and consent of the city council.

**1384. Bond.]** Said superintendent, before entering upon the duties of his office, shall execute a bond to the city, in the sum of two thousand dollars, with such sureties as the city council shall approve, conditioned that he will faithfully perform the duties of his office and account for and pay over all moneys and property received by him to the city.

**1385. Duties—power of arrest.]** It shall be lawful for the market superintendent, and it is hereby made his duty, to see that the ordinances regulating the sale of poultry, meat, fruit and vegetables, and also the ordinances regulating the market, be observed, and that all persons therein conduct themselves in a peaceable and orderly manner, and to arrest or cause to be arrested and taken before a police justice or other magistrate, every person who shall fail to observe or who shall violate the ordinances regulating the market, or

who shall disobey the lawful directions of the market superintendent, or conduct himself in a disorderly manner in said market.

**1386. Character of produce.]** Said market shall be open for the sale of all kinds of meat, poultry, vegetables and fruit, grain and every article of farm and garden produce, except hay, and no other article whatever.

**1387. Wagons—location.]** No market wagon shall be permitted to occupy a place in said market in any other position or manner than the following: The front end of such wagon shall be placed at a safe distance from the street car track, and every draft animal shall be detached from such wagon and removed from the market, and the shafts or pole of such wagon shall be detached from it; and in no case shall any wagon be placed upon said market at a distance of less than twenty feet from the curb wall, nor within two feet of any street crossing.

**1388. Fees.]** There shall be paid to the market superintendent, for the use of the city for occupying positions in said market each day or any part thereof, for each double wagon the sum of fifteen cents, and for each single wagon the sum of ten cents; no wagon shall be permitted to stand in said market place until the fee or price herein specified be first paid.

**1389. Producers only to sell.]** Peddlers' and purchasers' wagons shall be removed from the market as soon as those in charge of them have completed their purchases.

Peddlers and purchasers shall not be allowed to remain and sell any goods or produce whatever on said market, at the place aforesaid, and no persons but producers shall be allowed to sell produce on said market.

**1390. Unwholesome food.]** No damaged or unwholesome meats, poultry or produce shall be brought into or offered for sale in said market.

**1391. Cleanliness.]** The market shall be kept clean and free from filth and dirt, and no person shall deposit or leave, or cause to be deposited or left, upon the street or market place, any decayed or decaying matter or vegetables, or any remnants, or refuse, or débris, or any part of the contents of his wagon.

**1392. Snow—removal.]** The said superintendent, under the direction and order of the superintendent of streets, shall keep the said market place as free from snow as is practicable.

**1393. Penalty.]** Any person violating or refusing to comply with any of the provisions of this article shall be fined not less than three nor more than fifty dollars for each offense.

## ARTICLE II.

## DAYTON STREET MARKET.

**1394. Market established—hours.]** The roadway of Dayton street from the south side of Bissell street to Blackhawk street; the roadway of North avenue, from Dayton street west to Sheffield avenue; and the roadway of Clybourn avenue, from Concord place to North avenue, shall be set apart and used for market purposes on each and every day of the week, except Sunday, during the following hours, to wit: from four o'clock a. m. to eight o'clock a. m.; Provided, however, that the said market shall not be so conducted or the roadways so occupied or used as to obstruct public travel in the said streets; and Provided, further, that on North avenue and on Clybourn avenue a sufficient space shall be left on each side of the car tracks so as not to interfere with the operation of the street cars upon said street.

**1395. Superintendent — appointment.]** There is hereby created the office of superintendent of the Dayton street market. He shall be appointed by the mayor, by and with the advice and consent of the city council.

**1396. Bond.]** Said superintendent, before entering upon the duties of his office, shall execute a bond to the city, in the sum of two thousand dollars, with such sureties as the city council shall approve, conditioned that he will faithfully perform the duties of his office and account for and pay over all moneys and property received by him to the city.

**1397. Duties—power of arrest.]** It shall be lawful for the market superintendent, and it is hereby made his duty, to see that the ordinances regulating the sale of poultry, meat, fruit and vegetables, and also the ordinances regulating the market, be observed, and that all persons therein conduct themselves in a peaceable and orderly manner, and to arrest or cause to be arrested and taken before a police justice or other magistrate, every person who shall fail to observe or who shall violate the ordinances regulating the market, or who shall disobey the lawful directions of the market superintendent, or conduct himself in a disorderly manner in said market.

**1398. Character of produce.]** Said market shall be open for the sale of all kinds of fruits, vegetables, grain, and other articles of farm and garden produce, except hay and no other article whatever.

**1399. Wagons—location.]** No market wagon shall be permitted to occupy a place in said market in any other position or manner than such as may be designated by the superintendent of said market.

**1400. Fees.]** There shall be paid to the said superintendent, for the use of the city for occupying positions in said market each day or any part thereof, for each double wagon the sum of fifteen cents, and for each single wagon the sum of ten cents, and no wagon shall be permitted to occupy a place in said market place until the fee or price herein specified shall first have been paid to the said superintendent. (Note: See Supplement.)

**1401. Producers only to sell.]** Peddlers and purchasers shall not be allowed to remain and sell any goods or produce whatsoever in said market, and no person but the producers shall be allowed to sell produce in said market.

**1402. Cleanliness.]** The market shall be kept clean and free from filth and dirt, and no person shall deposit or leave, or cause to be deposited or left, upon the street or in the market place, any decayed or decaying matter or vegetables, or any remnants, or refuse, or débris, or any part of the contents of his wagon.

**1403. Unwholesome food.]** No damaged or unwholesome meats, poultry or produce shall be brought into or offered for sale in said market.

**1404. Snow—removal.]** The said superintendent, under the direction and order of the superintendent of streets, shall keep the said market place as free from snow as is practicable.

**1405. Penalty.]** Any person violating or refusing to comply with any of the provisions of this article shall be fined not less than three nor more than fifty dollars for each offense.

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### ARTICLE III.

#### MEAT MARKETS, DELICATESSEN STORES, POULTERERS, AND FISH MONGERS.

**1406. Meat dealers required to be licensed.]** No person shall carry on, engage in, or conduct the business of keeper of what is commonly or generally known as a meat market or place where any fresh, salted, or dried meat, poultry, fish, game, and sausage are kept or offered for sale, without first having obtained a license as hereinafter provided.

**1407. Delicatessen stores.]** No person shall carry on, engage in, or conduct the business of keeper of what is commonly or generally known as a delicatessen store, or place where smoked, salted, or dried meats, sausage and other like articles of food are exclusively or chiefly dealt in, without first having obtained a license as herein-after provided.

**1408. Poulterers—fishmongers.]** No person shall carry on, engage in, or conduct the business of poulterer or keeper of a place at which poultry either alive or dressed is chiefly dealt in or kept or offered for sale, nor shall any person carry on, engage in, or conduct the business of fishmonger or keeper of a place at which fish or shell fish or either or both of them are chiefly dealt in, without first having obtained a license as hereinafter provided.

**1409. License—application.]** Any person desiring to carry on, engage in, or conduct the business of keeper of a meat market as described in section 1408 shall make application in writing to the mayor for a license so to do, stating in such application the name and residence of the applicant and the place at which it is intended or desired to carry on or conduct such business. Such application shall be accompanied by a report or certificate from the commissioner of health stating whether the place in which such applicant proposes to carry on such business is in a sanitary condition and is a fit place in which to carry on such business. If such report or certificate shall be to the effect that such place is a fit place and in a sanitary condition in which to carry on the business as proposed, the mayor upon payment by such applicant to the city collector of the license fee as hereinafter fixed shall issue or cause to be issued to such applicant a license attested by the city clerk authorizing such applicant to carry on the business of keeper of a meat market at the place designated in such application for and during the period of the license issued.

Any person desiring to carry on, engage in, or conduct the business of keeper of a delicatessen store as described in section 1407 of this article shall make an application in writing to the mayor for a license so to do, stating in such application the name and residence of the applicant and the place at which it is desired to carry on or conduct such business. Such application shall be accompanied by a report or certificate from the commissioner of health stating whether the place designated in such application is in a sanitary condition and is a fit place in which to carry on the business of keeper of a delicatessen store. If such report or certificate shall show that such place is a fit place in which to carry on or conduct such business the mayor upon payment by such applicant to the city collector of the license fee hereinafter fixed shall issue or cause to be issued to such applicant a license attested by the city clerk authorizing such applicant to carry on the business of keeper of a delicatessen store at the place designated in such application for and during the period of the license issued.

Any person desiring a license as a poulterer or as a fish monger shall make application in writing to the mayor in the same manner as is required by the provisions of this article for persons making



an application for a license as keeper of a delicatessen store. On receipt of such application and the payment by the applicant to the city collector of the license fee as hereinafter fixed the mayor shall issue or cause to be issued to such applicant a license attested by the city clerk authorizing such applicant to carry on, engage in, or conduct the business of poulterer or fish monger, as the case may be, at the place designated in such application and for and during the period of such license.

**1410. License fee.]** For every license issued under the provisions of this article for the keeping of a meat market there shall be paid to the city collector by the applicant for such license the sum of fifteen dollars.

For every license issued under the provisions of this article for the keeping of a delicatessen store there shall be paid to the city collector by the applicant for such license the sum of five dollars.

For every license issued under the provisions of this article for the carrying on or conducting of the business of poulterer or the business of fishmonger there shall be paid to the city collector by the applicant for such license the sum of fifteen dollars.

The license fees herein provided and required to be paid shall not be divisible and the full amount of such license fees herein provided and required shall be paid for each license irrespective of the particular period or part of the license year in which such license is issued.

**1411. Meats sold by weight.]** All meats sold at any place of business licensed under the provisions of this article, excepting shanks, offal, heads and plucks, poultry or wild game, shall be sold by weight and be weighed in a scale, by weights or a beam, properly sealed; and in case any fraud shall be committed in the weight of any meat, and in case any meat, excepting as aforesaid, shall be sold without being weighed as herein directed, the person selling the same shall be fined the sum of five dollars for each offense.

## CHAPTER XXXIX.

### MISDEMEANORS.

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#### THEATRE HATS.

**1412. Wearing hats in theaters prohibited.]** No person shall wear any hat or bonnet within any licensed theatre in the city during any part of the time of performance, or during any part of the rendition of any program on the stage or platform; but every such hat or bonnet shall be removed from the head during the entire time of such program or performance: Provided, however, that the above inhibitions shall not be held to include skull-caps, lace coverings, or other small and closely fitting head dress which does not interfere with the view of the stage of persons in the rear of such wearer.

**1413. Unlawful to permit.]** It shall be unlawful for any person or corporation owning or controlling any licensed theatre, or for any manager thereof, to permit any person, during the progress of any performance, or during the rendition of any program on the stage or platform of such theatre, to wear any hat or bonnet, contrary to the provisions of the preceding section.

**1414. Penalty against individual.]** Any person who shall at any time during the progress of any performance, or at any time during the rendition of any program upon the stage or platform of any such theatre, wear any hat or bonnet, contrary to the provisions of the first section of this chapter, shall be fined not less than three dollars nor more than five dollars for each such offense.

**1415. Penalty against proprietor.]** Any proprietor or manager of such licensed theatre who shall violate the provisions of the second section of this chapter shall be subject to a penalty of not less than ten dollars nor more than twenty-five dollars for each offense.

#### ANIMALS, HORSES AND VEHICLES.

**1416. Speed regulated.]** No person shall ride or drive or cause to be ridden or driven any horse or other animal, or drive or propel, or cause to be driven or propelled, any cab, carriage, wagon, automobile, bicycle, or other vehicle upon any street or public way in the city, at a greater speed than at the rate of ten miles an hour, under

a penalty of not less than five dollars nor more than fifty dollars for each offense.

**1417. Intersections and corners.]** No person, upon turning the corner of any street or crossing the intersection of any street in the city, shall ride or drive any horse or other animal with greater speed than at the rate of four miles an hour, under a penalty of not more than ten dollars for each offense.

**1418. Issuing from alley.]** No person shall ride or drive any horse or other animal, at the time of issuing from or quitting any alley at a greater rate of speed than a walk, under a penalty of not more than ten dollars for each offense.

**1419. Not permitted to go loose.]** No person having the charge, custody or control thereof shall permit any horse, mule, ass, ox, cow, goat, pig, or other like animal to go loose or at large in any of the public ways in the city, under a penalty of not more than ten dollars for every such offense.

**1420. Driving on sidewalk.]** No person having the charge, custody or control thereof shall suffer or permit to go, or lead or ride or drive, any horse upon any sidewalk in the city, under a penalty of not more than five dollars for each offense.

**1421. Racing.]** No person shall run or race any horse in any public way in the city, nor shall consent to or suffer such racing, under a penalty of not more than ten dollars, to be recovered from the person or persons who shall so race, or suffer or permit such racing, and the owner, rider and the person having charge of any animal which shall so race and run, severally and respectively. This section shall be so construed as to prevent and punish the running, racing or trotting of any horse for any trial of speed, or for the purpose of passing any other horse or horses, whether the same be founded upon any stake, bet or otherwise.

**1422. Auction sale on street.]** No person shall show or expose for sale at auction any horse or other animal in any public way in the city, under a penalty of not more than five dollars for every such offense.

**1423. Sleigh—cutter—bells.]** No person shall drive any horse before a sleigh, cutter or similar vehicle through any of the public ways of this city, unless there shall be a sufficient number of bells attached to the harness of such horse and sleigh or sled, to warn persons of its approach, under a penalty of not more than ten dollars for each offense.

**1424. Unfastened.]** No person shall leave any horse or other animal attached to any carriage, wagon, cart, sleigh, sled, or other vehicle in any public way of this city, without securely fastening such horse or other animal, under a penalty for each offense of not less than two dollars nor more than ten dollars.

**1425. Overloading of vehicles prohibited.]** No person shall overload or cause to be overloaded any vehicle drawn by any horse or horses, or any other animal or animals, within the city, under a penalty of not less than five nor more than one hundred dollars for each offense, and any person owning or controlling or who is in possession or charge of any such wagon or vehicle so overloaded shall be deemed guilty of a violation of this section. A wagon or vehicle shall be deemed to be overloaded when it shall be evident that the load upon any such wagon or vehicle is beyond the capacity of the horse or horses or the animal or animals drawing such vehicle or wagon or that the load upon such wagon or vehicle is of such weight or is so distributed as to overtax the strength of the horse or horses or animal or animals attached to such wagon or vehicle and required to draw same with such load thereon.

#### AIR GUN.

**1426. Prohibition.]** No person shall be permitted to fire or discharge upon any public way in the city any air gun, spring gun or other similar device which is calculated or intended to propel or project a bullet, arrow or similar projectile; Provided, however, that nothing in this article shall prevent the use of such weapons in shooting galleries or in any private grounds or residence where the projectile fired or discharged from any such gun or device will not traverse any space used as a public way. Any person violating any provision of this section shall be fined not more than fifty dollars for each offense.

#### INJURIES BY AUTOMOBILES, BICYCLES, CARRIAGES, ETC.

**1427. Accidents.]** Any person who, while riding, driving, or propelling a bicycle, motor cycle, automobile, carriage, wagon or other vehicle shall run against, upon or over any person, upon the public highway, or the property of any person in his personal possession or use so as to cause an injury or damage to such person or property, and who shall not stop at once to ascertain the extent of such injury and to render such assistance as may be needed, and who shall refuse to give his true name and residence, or shall give a false name or residence when asked for by the person so injured, or by any other person in his behalf, shall be fined not less than five dollars nor more than one hundred dollars for each offense.

#### TUNNELS.

**1428. Speed through.]** No person shall ride, lead or drive any horse or other animal, nor any vehicle of any sort, through any street

tunnel in the city, or its approaches, at a greater speed than four miles an hour.

**1429. Driving of animals through.]** No person shall drive, or assist in driving, into or through any such tunnel or its approaches, any loose horse, loose cattle, or loose animal of any sort.

**1430. Vehicles—dimensions of load limited.]** No person shall lead or drive into any such tunnel or into its approaches any cart or other vehicle loaded with loose hay or straw, or like bulky or combustible material, or any vehicle the dimensions of which including its load, shall exceed ten feet in height or eight feet in width.

**1431. Penalty.]** Any person violating any provision of either of the three preceding sections of this chapter shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

#### TREES, SHRUBS, AND GRASS PLOTS.

**1432. Trees not to obstruct public lamps.]** If any tree shall be permitted by the owner, lessee, or person in possession, charge, or control of any premises upon which such tree is growing, to grow in such a manner as to obstruct or prevent in any way the light from any public lamp from falling upon the street, it shall be the duty of the commissioner of public works to notify such owner, lessee, or person to forthwith trim such tree in such manner as to prevent such obstruction.

If any person so notified shall refuse or neglect to comply with such notice it shall be the duty of said commissioner to cause such tree to be trimmed, and the person so notified and failing, refusing or neglecting to comply with such notice shall be fined not less than one dollar nor more than five dollars for each offense.

**1433. Trees planted or growing on city property—grass plots—penalty.]** Where any land lies between the curb line of any street and the lot line of the abutting lots, and such land is not actually in use for street or sidewalk purposes, the owner of any premises immediately abutting upon such land shall be permitted under the direction and supervision of the commissioner of public works to plant on such land, trees or shrubbery and to sod or seed such land for the purpose of maintaining a grass plot thereon; and any such person shall be permitted to maintain and care for such trees, shrubbery, and grass plot in such manner as shall be satisfactory to and approved by the commissioner of public works. No person shall be permitted to cut down, destroy, or in any way injure any such trees or shrubbery, or to trample upon, destroy, or in any way injure the grass upon any such piece of land; but nothing herein contained shall be held to prevent the owner or person in possession, charge, or control of the premises immediately abutting upon any such piece of land

from entering thereon for the purpose of caring for such trees, shrubbery, or grass.

Any person violating any of the provisions of this section shall be fined not less than five dollars nor more than fifty dollars for each offense.

#### MINORS.

**1434. Intoxication—purchasing liquor.]** Any person being a minor, who shall be intoxicated, or who shall purchase or offer to purchase, or in any manner obtain for his or her personal use, any intoxicating liquor in any licensed saloon or grocery, shall be fined in a sum not exceeding twenty-five dollars for the first offense, and in a sum not more than one hundred dollars for every subsequent offense.

**1435. Gambling in saloons.]** Any person being a minor, who shall play with dice, dominoes, cards, balls, or other articles used in gaming, in any saloon, grocery, room, or place where intoxicating liquors are sold or given away, shall be fined not more than one hundred dollars for each offense.

**1436. False representations.]** Any person being a minor, who shall obtain from the proprietor of any saloon or grocery, or from his or her agent or servant, any intoxicating liquors under the false pretense of being then of age, shall be fined for each offense not more than fifty dollars.

**1437. Flipping cars.]** No minor under the age of eighteen years shall climb, jump upon, or cling to, or in any way attach himself or herself to any horse, cable, electric or other street car or any railroad locomotive or car of any kind while the same is in motion, under a penalty of not less than two dollars nor more than ten dollars for each offense.

**1438. Materials impregnated with liquor.]** Any person who shall sell or deliver to or procure for any minor under sixteen years of age, any cigarettes, whiskey, drops or candy or other material saturated with or inclosing any spirituous, vinous or fermented liquor, shall be fined not less than twenty dollars nor more than one hundred dollars for each and every offense.

**1439. Sale of tobacco to minors under sixteen prohibited—penalty.]** No person or corporation shall sell or furnish any cigars or tobacco in any form to any minor under sixteen years of age, except upon the written order of the parent or guardian of such minor. Any person or corporation violating any of the provisions of this section shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

#### BARBED WIRE FENCE.

**1440. Prohibited.]** No person shall build, construct, use, or main-

tain any fence or barrier consisting or made of what is called "barbed wire," or of which barbed wire is a part, within the city, along the line of or in or upon or along any street, alley or public walk or drive; or through, along or around, any public park; or in and about or along any land or lots or parks owned or controlled by the city.

**1441. Removal.]** Wherever in the city, in, along or through any public street, alley or park, barbed wire is found in use in part or in whole for a fence or barrier, the same shall forthwith be removed by the commissioner of public works.

**1442. Penalty.]** Any person violating any of the provisions of section 1440 shall be fined not less than ten nor more than twenty-five dollars for each offense.

#### LIGHTS ON VEHICLES.

**1443. Hours for carrying.]** It shall be unlawful for any owner or driver of any automobile, wagon, truck, dray, cart, carriage, cab, omnibus, bicycle, motor cycle or other wheeled vehicle, to use the streets of the city without having displayed until daybreak after the hour of eight P. M. during the period commencing with April first and ending October thirty-first, and until daybreak after six P. M. during the period commencing with November first and ending March thirty-first, one or more lights.

**1444. Penalty.]** Any person violating any of the provisions of the preceding section shall be fined not less than ten dollars nor more than fifty dollars for each offense.

#### SPIKES IN RAILINGS AND FENCES.

**1445. Unlawful to maintain.]** No owner, lessee or person in possession of any building in this city shall erect or maintain or permit to be erected or maintained on or about the stairway in, or the entrance to, such building, or on or about its exterior building line, or upon any portion of the sidewalk adjacent to such building, any railing, fence, guard or protection of any kind, upon which such railing, fence, guard or other protection there shall be affixed or placed or in any manner attached so as to protrude therefrom any spike, nail or other pointed instrument of any kind or description, under a penalty of not less than twenty-five nor more than fifty dollars for each offense; and each and every day any such person shall fail or neglect to remove from such railing, fence or other protection, any such spike, nail or other pointed instrument, after notice in writing from the commissioner of buildings so to do, shall constitute a separate and distinct offense.

## CRUELTY TO CHILDREN.

**1446. Exhibition of children.]** No person having the care, custody or control of any child under the age of fourteen years, shall cause or permit any such child to be exhibited, used or employed, or shall apprentice or let out, or otherwise dispose of any such child to any person or corporation for the vocation, occupation, service or purpose of singing or playing on musical instruments, in any saloon or saloons, or on the streets or alleys, or of rope or wire walking, dancing, begging or peddling, or as a gymnast, contortionist, rider, or acrobat in any place whatsoever, or for any obscene, indecent or immoral purpose, exhibition or practice whatsoever, or in or about any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child, or cause, procure or encourage any such child to engage therein.

**1447. Life or health endangered.]** No person shall take, receive, hire, employ, use, exhibit or have in custody any child under the age of fourteen years for the purpose of employing such child in the manner expressly prohibited in the provisions of section 1446, and no person having the care or custody of any child shall wilfully cause or permit such child to be placed in such a situation that its life or health may be endangered.

**1448. Penalty.]** Any person who violates, neglects, or refuses to comply with any of the provisions of sections 1446 and 1447, or is guilty of cruelty to any child in any of the ways mentioned herein, viz.:

1. By cruelly beating, torturing, overworking, mutilating or causing or knowingly allowing the same to be done.
2. By unnecessarily failing to provide any child in his or her charge or custody with proper food, drink, shelter or raiment.
3. By abandoning any child; or who shall wilfully or unnecessarily expose to the inclemency of the weather, or shall wilfully or unnecessarily in any manner injure in health or limb any child under the age of fourteen years shall for each offense be fined not less than five dollars nor more than one hundred dollars.

## CRUELTY TO ANIMALS.

**1449. Penalty.]** Whoever shall be guilty of cruelty to any animal in any of the ways mentioned in this section shall be fined not less than three dollars nor more than one hundred dollars for each offense, viz.:

1. By overloading, overdriving, overworking, cruelly beating, torturing, tormenting, mutilating, or cruelly killing any animal or causing or knowingly allowing the same to be done.



2. By cruelly working any old, maimed, infirm, sick or disabled animal, or causing or knowingly allowing the same to be done.

3. By unnecessarily failing to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink and shelter.

4. By abandoning any old, maimed, infirm, sick or disabled animal.

5. By carrying or driving, or causing to be carried or driven or kept, any animal in an unnecessarily cruel manner.

6. By carrying, or causing to be carried, any animal bound or tied by its legs, or bound down by the neck, so that it cannot freely stand in an upright position while being transported.

#### NOISE.

**1450. Advertising devices.]** No person shall make, or cause, permit or allow to be made, any noise of any kind, by means of any whistle, rattle, bell, gong, clapper, hammer, drum, horn, or similar mechanical device, at any time, for the purpose of advertising any goods, wares or merchandise, or of attracting the attention or inviting the patronage of any person to any business whatsoever, anywhere in the city.

**1451. Penalty.]** Every person who shall violate any of the provisions of section 1450 shall be fined not less than two dollars nor more than fifty dollars for each offense; and such person shall be deemed guilty of a separate and distinct offense for every day during which such person shall continue such violation.

**1452. Rails—pillars.]** All rails, pillars, and columns of iron, steel or other metal, which are being transported over and along the streets of said city upon carts, drays, cars, or in any other manner, shall be so loaded as to avoid causing loud noises or disturbing the peace and quiet of such streets, under a penalty of not more than twenty-five dollars for each offense.

**1453. Hand organ.]** No person shall use or perform with any hand organ or other musical instrument or device for pay or in expectation of payment, in any of the streets or public places in the city before nine o'clock a. m. or after nine o'clock p. m. of each day, under a penalty of not less than ten nor more than twenty-five dollars for each offense.

#### DISORDERLY CONDUCT.

**1454.** All persons who shall make, aid, countenance or assist in making any improper noise, riot, disturbance, breach of the peace or diversion tending to a breach of the peace within the limits of the city; all persons who shall collect in bodies or crowds

for unlawful purposes, or for any purpose, to the annoyance or disturbance of other persons; all persons who are idle or dissolute and go about begging; all persons who use or exercise any juggling or other unlawful games or plays; all persons who are found in houses of ill-fame or gaming houses; all persons lodging in or found at any time, in out-houses, sheds, barns, stables or unoccupied buildings, or underneath sidewalks, or lodging in the open air and not giving a good account of themselves; all persons who shall wilfully assault another in said city, or be engaged in or aid or abet in any fight, quarrel or other disturbance in said city; all persons who stand, loiter or stroll about in any place in said city waiting or seeking to obtain money or other valuable thing from others by trick or fraud or to aid or assist therein; all persons that shall engage in any fraudulent scheme, device or trick to obtain money or other valuable thing in any place in said city, or who shall aid or abet or in any manner be concerned therein; all touts, ropers, steerers or cappers, so called, for any gambling room or house who shall ply or attempt to ply their calling on any public street in said city; all persons found loitering about in any hotel, block, barroom, dram-shop, gambling house or disorderly house, or wandering about the streets either by night or day without any known lawful means of support, or without being able to give a satisfactory account of themselves; all persons who shall have or carry any pistol, knife, dirk, knuckles, slung-shot or other dangerous weapon concealed on or about their persons; and all persons who are known to be thieves, burglars, pick-pockets, robbers or confidence men, either by their own confession or otherwise, or by having been convicted of larceny, burglary or other crime against the laws of the state of Illinois, who are found lounging in or prowling or loitering around any steamboat landing, railroad depot, banking institution, place of public amusement, auction room, hotel, store, shop, thoroughfare, car, omnibus, public conveyance, public gathering, public assembly, court room, public building, private dwelling house, out-house, house of ill-fame, gambling house, tippling shop, or any public place, and who are unable to give a reasonable excuse for being so found, shall be deemed guilty of disorderly conduct, and upon conviction thereof shall be severally subject to a fine of not less than one dollar nor more than two hundred dollars for each offense.

**1455. Intoxicated person not to operate automobiles, etc.]** No person while in a state of intoxication shall operate, conduct, manage, control, or have charge of any grip car, automobile, motor car, or other vehicle propelled by mechanical power, upon any of the public streets or ways within the city while such vehicle is in motion, or while the machinery or any part thereof of any such vehicle is in motion.

Every person violating any of the provisions of this section shall be fined not less than one hundred dollars and not more than two hundred dollars for each offense.

#### HOUSES OF ILL-FAME OR ASSIGNATION.

**1456.** No person shall keep or maintain a house of ill-fame or assignation, or place for the practice of fornication or prostitution or lewdness, under a penalty of not to exceed two hundred dollars for every twenty-four hours such house or place shall be kept or maintained for such purpose.

**1457.** No person shall patronize, frequent, be found in or be an inmate of any house of ill-fame or assignation, or place for the practice of prostitution or lewdness under a penalty of not exceeding two hundred dollars for each offense.

**1458.** Every house of ill-fame or house of assignation where men and women resort for the purpose of fornication or prostitution is hereby declared to be a nuisance.

#### NIGHT WALKERS.

**1459.** All prostitutes, solicitors to prostitution, and all persons of evil fame or report, plying their vocations upon the streets, alleys or public places in the city, are hereby declared to be common nuisances and shall be fined not to exceed one hundred dollars for each offense.

#### ILL-GOVERNED OR DISORDERLY HOUSES.

**1460.** Every common, ill-governed or disorderly house, room or other premises, kept for the encouragement of idleness, gaming, drinking, fornication or other misbehavior is hereby declared to be a public nuisance, and the keeper and all persons connected with the maintenance thereof, and all persons patronizing or frequenting the same shall be fined not exceeding two hundred dollars for each offense.

#### IMPURE LITERATURE RELATING TO DISEASES.

**1461.** No person shall sell or offer to sell, give away or offer to give away, distribute or have in his possession with intent to give away, sell or distribute in or upon any street or sidewalk, or park or public property of the city, any book, pamphlet, circular, handbill, advertisement or notice of any kind purporting to treat of or treating of diseases known as "venereal diseases," describing or explaining or purporting to describe or explain the genital organs, giving or purporting to give the nature and remedies of diseases peculiar to

females, uterine diseases, or the nature or causes of nervous debility, impotency, sterility or barrenness, gonorrhea, gleet, stricture, syphilis, affection of the prostate gland or the remedies therefor, or the cause or remedies for abortion or miscarriage or articles or means of preventing conception, under a penalty of not less than twenty dollars nor more than fifty dollars for each offense.

**1462.** No person shall sell or offer to sell, give away or offer to give away, distribute or have in his possession with intent to give away, sell or distribute in or upon any street, sidewalk, park or public property in the city, any book, pamphlet, circular, handbill, advertisement or notice of any kind giving or purporting to give information from whom or where medicine or anything whatever may be obtained for the cure, prevention or treatment of uterine diseases, or diseases peculiar to females, venereal disease, or diseases of the genital organs, or nervous debility, impotence, sterility, or barrenness, gonorrhea, gleet, stricture, syphilis, affection of the prostate gland, abortion or miscarriage, or articles or means of preventing conception. Any person or corporation violating any of the provisions of this section shall be fined not less than twenty-five nor more than two hundred dollars for each offense.

**CERTAIN ADVERTISEMENTS PROHIBITED IN NEWSPAPERS—PENALTY.**

**1463.** It shall be unlawful for any person to advertise, print or publish, or cause to be advertised, printed or published, in any newspaper or other publication having a general circulation in the city, or which is sold or offered for sale within the city, any advertisement, notice or mention of any kind whatsoever giving or purporting to give any information of, from whom, or where, apparatus, medicine, remedies or alleged cures may be had or obtained for the cure, prevention or treatment of uterine diseases, or of diseases peculiar to females, or of venereal diseases, or of diseases of the genital organs, or of nervous debility, impotence, sterility or barrenness, or of gonorrhea, gleet, stricture, syphilis or affection of the prostate gland, or from whom or where, may be obtained any advice, information, direction or knowledge of any drug, medicine, mixture, preparation, instrument, apparatus or means of any kind whatever for the purpose of causing or procuring a miscarriage by any woman pregnant with child, or for the purpose of causing or producing an abortion, or for the purpose of preventing conception. Any person violating any of the provisions of this section shall be fined not less than twenty-five nor more than two hundred dollars for each offense.

**INDECENT LITERATURE—IMMORAL EXHIBITIONS.**

**1464.** No person shall exhibit, sell or offer to sell or circulate or

distribute any indecent or lewd book, picture or other thing whatever of an immoral or scandalous nature, or shall exhibit or perform any indecent, immoral or lewd play or other representation, under a penalty of not less than twenty dollars nor more than one hundred dollars for each offense.

#### INDECENT EXPOSURE.

**1465.** If any person shall appear in a public place in a state of nudity, or in a dress not belonging to his or her sex, or in an indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any lewd or indecent act or behavior, he or she shall be subject to a fine of not less than twenty dollars nor more than one hundred dollars for each offense.

#### INDECENT, LEWD, AND FILTHY ACTS.

**1466.** Any person who shall commit any indecent, lewd or filthy act in any place in the city, or shall utter any lewd or filthy words or use any threatening or abusive language in the hearing of other persons publicly, or shall make any obscene gesture to or about any other person publicly, shall be deemed a disorderly person, and shall be fined not less than five dollars nor more than one hundred dollars for each offense.

#### INDECENT EXHIBITIONS OF ANIMALS.

**1467.** No person shall indecently exhibit any stud horse or bull, or let any such horse to any mare or any bull to any cow within the city unless in some inclosed place out of public view, under a penalty of not less than five dollars nor more than one hundred dollars for each offense.

#### POISONOUS MEDICINE OR DECOCTION.

**1468.** No poisonous medicine, decoction or substance shall be held for sale or sold, except for lawful purposes and with proper motives, and by persons competent to give the proper directions and precautions as to the use of the same; nor shall any bottle, box, parcel or receptacle thereof be delivered to any person unless the same is plainly marked on the outside "poison," nor to any person who the party delivering the same has reason to think intends it for any illegal or improper use or purpose, under a penalty of not less than twenty-five nor more than one hundred dollars for each offense.

#### FRAUDULENT PRESCRIPTIONS.

**1469.** No doctor, druggist or other person shall make, sell, put up,

prepare or administer any prescription, decoction or medicine under any deceptive or fraudulent name, direction or pretense, under a penalty of not less than one hundred nor more than two hundred dollars for each offense.

**SALE OF COCAINE FORBIDDEN EXCEPT ON WRITTEN PRESCRIPTION.**

**1470.** No druggist or other person shall sell or give away any morphine, cocaine, hydro-chlorate, or any salts of any compound of the same, or any preparation containing cocaine, morphine, hydro-chlorate, or any salts or any compound thereof, except upon the written prescription of a licensed physician or a licensed druggist licensed under the laws of the state of Illinois; which prescription shall be filled only once and shall have written upon it the name and address of the patient; Provided, that the provisions of this section shall not apply to the sale at wholesale by any manufacturer or wholesale druggist to retail druggists or to any other person, of such cocaine, morphine, hydro-chlorate, or any salts or any compound of the same in original packages only, with such packages having affixed thereto a label specifically setting forth the preparation of cocaine, morphine, or hydro-chlorate contained therein.

Any person who shall violate any of the provisions of this section shall be fined not less than fifty dollars nor more than two hundred dollars for each offense.

**ADVERTISING QUACK NOSTRUMS.**

**1471.** No person shall place or post, or cause to be placed or posted, in any street or other public place in the city any handbill or advertisement giving notice of any person having or professing to have skill in the treatment or curing of any disorder or disease, or giving notice of the sale or exposure for sale of any nostrum or medicine, under a penalty of not more than twenty-five dollars for each offense.

**DISTRIBUTING MEDICINES.**

**1472.** No person shall be permitted to give away, deposit or otherwise distribute any sample package, parcel, box or other quantity of any nostrum, proprietary medicine or other material of an alleged medicinal character or purporting to be a curative agency, by means of depositing or leaving same in any hallway, private area or yard, or on any doorstep or in any place in any street, alley, or public ground in the city.

Any person violating any of the provisions of this section shall

be fined not less than five dollars nor more than fifty dollars for each offense.

#### OPIMUM SMOKING OR INHALING ROOMS.

1473. No person, within the city, shall keep or maintain or become an inmate of, or in any way contribute to the support of any place, house or room for opium smoking, or where persons assemble for the purpose of inhaling opium, or inhaling the fumes thereof, under a penalty of not less than five dollars nor more than one hundred dollars for each offense, together with the confiscation of all the articles and paraphernalia used for the said purpose of smoking or inhaling opium, or the fumes thereof, which may be found in any such place.

#### BURGLAR'S TOOLS.

1474. It shall be unlawful for any person to have in his possession any nippers of the description known as burglar's nippers, pick lock, skeleton key, key to be used with a bit or bits, jimmy, or other burglar's instrument or tool of whatsoever kind or description, unless it be shown that such possession is innocent, or for a lawful purpose, under a penalty of not less than one hundred dollars nor more than two hundred dollars for each offense.

#### LOUNGERS AND LOAFERS.

1475. No person shall obstruct or encumber any street corner or other public place in the city by lounging in or about the same after being requested to move on by any police officer; any person violating any of the provisions of this section shall be fined not less than five dollars nor more than fifty dollars for each offense.

#### VAGABONDS AND VAGRANTS.

1476. All persons who are idle and dissolute, or who go about begging; all persons who use any shell game, sleight of hand or juggling trick or other unlawful game to cheat, defraud or unlawfully obtain money or other valuable thing; pilferers; confidence men; common drunkards; common night-walkers; persons lewd, wanton or lascivious in speech or behavior; common brawlers; persons who are habitually neglectful of their employment or their calling, and do not lawfully provide for themselves or for the support of their families; and all persons who are idle or dissolute and who neglect all lawful business, and who habitually misspend their time by frequenting houses of ill-fame, gaming houses or tippling shops;

all persons lodging in or found in the night-time in out-houses, sheds, barns or unoccupied buildings or lodging in the open air, and not giving a good account of themselves; and all persons who are known to be thieves, burglars, or pickpockets, either by their own confession or otherwise, or by having been convicted of larceny, burglary, or other crime against the laws of the state, punishable by imprisonment in the state prison, or in a house of correction of any city, and having no lawful means of support, are habitually found prowling around any steamboat landing, railroad depot, banking institution, broker's office, place of public amusement, auction room, store, shop or crowded thoroughfare, car or omnibus, or at any public gathering or assembly, or lounging about any court room, private dwelling houses or out-houses, or are found in any house of ill-fame, gambling house, or tippling shop, shall be deemed to be and they are declared to be vagabonds, and shall be fined not to exceed one hundred dollars for each offense.

#### CLAY HOLES AND EXCAVATIONS.

1477. The owner, lessee or person in possession of any real estate within the city upon which are located or situated any clay holes or other similar excavations are hereby required to cause such clay holes or other excavations to be inclosed with wooden or wire fences of not less than six feet in height. When such fences are of wire, only smooth or non-barbed wire shall be used, and such fence or fences shall consist of not less than eight rows of wire and such rows of wire shall not be more than nine inches apart. Any person violating any of the provisions of this section shall be fined not more than two hundred dollars for each offense.

#### DEFAACING PUBLIC BUILDINGS, ETC.

1478. No person shall cut, injure, mark or deface any public building belonging to the city, or any station house or engine house, or any tree, grass or shrub or walk in any square or public park, or any sewer, water pipe or hydrant under a penalty of not less than five dollars nor more than fifty dollars for each offense.

#### DEFAACING SIGNS, FENCES, ETC.

1479. No person shall wantonly mar, injure, deface or destroy any fence, guide post, sign board or awning in any street or public place in the city, under a penalty of not less than five dollars nor more than fifty dollars for each offense.

#### CONSTRUCTION OF SCAFFOLDS.

1480. All scaffolds erected in this city for use in the erection of



stone, brick or other buildings shall be well and safely supported, and of sufficient width and properly secured so as to insure the safety of persons working thereon or passing under or by the same, to prevent the falling thereof or of any materials that may be used, placed or deposited thereon; any scaffold which may be otherwise erected shall be deemed a nuisance; and any person who shall erect or use or cause to be erected or used any scaffold contrary to the provisions hereof shall be fined not less than five dollars and not more than one hundred dollars for each offense, and a further fine of ten dollars for every day the same shall remain after notice from the commissioner of buildings to remove the same.

OBJECTS ON WINDOW-SILLS, ETC.

1461. It shall not be lawful for any person to place or keep on any window-sill, railing or balcony, top of porch or any other projection from any house or other building in the city, any flower-pot, wooden box, bowl, pitcher or other article or thing whatever, unless the same is securely and firmly fastened or protected so as to render it impossible for any such pot, box, bowl, pitcher or other article to fall into the street, under a penalty of not more than fifty dollars for each offense.

MUTILATION OF POSTERS.

1482. It shall not be lawful for any person to destroy, tear, mutilate, cover over, or otherwise deface or injure, any bill or poster (posted in such places as may be permitted), descriptive of any performance or entertainment given in any licensed theatre or hall, or in pursuance of a license given by the city; and any person violating any of the provisions of this section shall be fined not more than twenty-five dollars for each offense.

BATHING IN CITY LIMITS.

1483. No person shall swim or bathe in the waters of Lake Michigan adjacent to the city, or in any part of the harbor, unless such person be clothed in a suitable bathing dress, under a penalty of not less than five dollars nor more than twenty dollars for each offense.

DISTURBING ASSEMBLIES MET FOR WORSHIP.

1484. Any person who shall disquiet or disturb any congregation or assembly met for religious worship, by making a noise, or by rude and indecent behavior or profane discourse within their place of worship, or so near the same as to disturb the order and solemnity of

the meeting, shall be fined not exceeding fifty dollars for each offense.

#### KILLING BIRDS IN CITY LIMITS.

**1485.** No person shall kill or wound, or attempt to kill or wound, by the use of firearms, slung shot, bow and arrow or other weapon, any bird within the city limits, except as hereinafter provided.

**1486.** Any person licensed to hunt under the provisions of an act of the legislature of the state of Illinois, entitled "An act for the protection of game, wild fowl and birds, and to repeal certain acts relating thereto" (or under any subsequent act in regard to the same subject-matter), may hunt or kill game birds in the open season as provided by the laws of the state of Illinois, within the following described districts and portions of the city:

Upon Wolf lake and along the shores thereof; upon Hyde lake and along the shores thereof; upon Lake Calumet and along the shores thereof; upon the Calumet river and along the banks thereof; upon Lake Michigan and along the shore thereof south of 71st street; along the Drainage Canal west of Western avenue, and in any other part of the city outside of the following described limits: Beginning at the intersection of the south line of 71st street with Lake Michigan; thence west along the south line of 71st street to the west line of Kedzie avenue; thence north along the west line of Kedzie avenue to the south line of 31st street; thence west along the south line of 31st street to the west line of 40th avenue; thence north along the west line of 40th avenue to the south line of Montrose avenue; thence east along the south line of Montrose avenue to the west line of Western avenue; thence north along the west line of Western avenue to the city limits.

Provided, however, that no weapon shall be used for the purpose of hunting such birds or killing or wounding, or attempting to kill or wound such birds, other than a shot gun, and that such shot gun be not discharged anywhere within seven hundred and fifty feet of any building or structure designed or intended for purposes of human habitation or employment, or to be used as a barn or stable. Provided, further, that any person so licensed to hunt and desiring to hunt or kill game birds in the city within the limits herein specified shall first make application, in writing, to the superintendent of police for a permit so to do, setting forth in such application his name, age and residence, and satisfactory evidence of the possession by him of a hunter's license as hereinbefore required. Upon such application being received by the superintendent of police, a permit shall be issued to such applicant, if such applicant shall be of good moral character and of such discretion and understanding as to be safely permitted to hunt game birds within the city limits in accordance with the provisions of this section.

**1487.** Any person who shall violate any of the provisions of the two preceding sections shall be fined not less than ten dollars nor more than twenty-five dollars for each offense.

#### DISTRIBUTION OF HANDBILLS.

**1488.** No person or persons shall distribute, cast, throw or place in, upon or along any of the streets, alleys or public places of the city, any handbills, pamphlets, circulars, books, or advertisements for the purpose or with the intent of advertising or making known in a general or promiscuous manner, any business, occupation, profession, medical treatment, medicine, or anything whatsoever, under a penalty of not less than five dollars nor more than fifteen dollars for each offense.

#### EXPOSING DEFORMED OR MUTILATED LIMBS.

**1489.** Any person who is diseased, maimed, mutilated or in any way deformed so as to be an unsightly or disgusting object, or an improper person to be allowed in or on the streets, highways, thoroughfares or public places in this city, shall not therein or thereon expose himself to public view, under a penalty of not less than one dollar nor more than fifty dollars for each offense.

#### EXHIBITING WILD ANIMALS.

**1490.** No person shall permit any bear, or other dangerous animal to run at large, nor lead any such animal with a chain or rope or other appliance, whether such animal be muzzled or unmuzzled, in any street, avenue, lane, highway or public place within the city, under a penalty of not more than ten dollars for each offense.

#### OBSTRUCTING GUTTERS, SEWERS, OR PIPES.

**1491.** No person shall stop or obstruct the passage of water in any street, gutter or public sewer, culvert, water pipe or hydrant, under a penalty of not less than five dollars nor more than fifty dollars for each offense.

#### CASTING RINDS AND PEELS ON SIDEWALK.

**1492.** No person shall throw, cast, lay or place on any sidewalk in the city, the rind or peel of any orange, banana, apple or other fruit, under a penalty of not less than two dollars nor more than twenty dollars for each offense.

## SPITTING ON SIDEWALK, ETC.

**1493.** No person shall spit upon any public sidewalk, or upon the floor of any public conveyance, or upon the floor of any theatre, hall, assembly room or public building, under a penalty of not less than one dollar nor more than five dollars for each offense.

## BARRICADE ON SIDEWALK, ETC.

**1494.** No person shall remove any barricade erected in front of or about any defective sidewalk or street within the city, or in any way interfere with, change or destroy such barricade, until such sidewalk or street is repaired or rebuilt, under a penalty of not less than five dollars nor more than one hundred dollars for each offense.

## REMOVING SOD OR EARTH FROM STREETS.

**1495.** No person shall dig, cut or remove any sod or earth from any street or other public place within the city without a permit from the commissioner of public works, or from any premises not his own without the consent of the owner, under a penalty of not less than five dollars nor more than fifty dollars for each offense.

## GAMES AND PERFORMANCES IN STREETS OR ON PREMISES ABUTTING ON STREETS.

**1496.** No person shall engage in any game, sport, amusement, performance or exhibition, or exhibit any machine or show or any animal, or indulge in any acrobatic or gymnastic feats, on any street, public way or sidewalk in the city, nor shall any person give or cause to be given any performance, show or exhibition of any kind or nature whatsoever in any show window or in or on any premises immediately abutting upon any street, public way or sidewalk in the city, which is designed or intended to or which as a matter of fact does collect, attract or cause to be collected or attracted a sufficient number of persons to interfere with the passage of the public along the street, public way or sidewalk upon which such show window or premises abut. Any person violating any of the provisions of this section shall be fined not less than five nor more than one hundred dollars for each offense. In any case where any show, performance or exhibition of any kind or nature whatsoever is being held, carried on or given in any show window or in or on any premises abutting upon any street, sidewalk or public way in the city, which is designed or calculated to attract the attention of pedestrians or persons passing such show window or premises, and which such show, performance or exhibition results in the collection or attraction of a sufficient number

of persons on the street, sidewalk or public way upon which such show window or premises abut to interfere with the passage of the public along such street, public way or sidewalk, any member of the police department shall have the power and it shall be his duty to enter such premises and cause such show, performance or exhibition to be discontinued forthwith, and any performer, figure, apparatus or other thing of any kind or nature whatsoever engaged in or used in or about such show, performance or exhibition removed from such show window or premises forthwith. Any person in charge, possession or control of any such show, performance or exhibition, or in charge, possession or control of any show window or premises in or upon which such show, performance or exhibition is being given or conducted as aforesaid so as to collect or attract a crowd sufficient to interfere with the free passage of the public along any street, sidewalk or public way as aforesaid, and who shall neglect or refuse to discontinue such show, performance or exhibition or to remove any performer or any apparatus or thing used therein when requested so to do by any member of the police department, or who shall refuse to allow any member of the police department to remove from such show window or premises any such performer, apparatus or thing, or resists such removal by any member of the police department, shall be fined not less than five nor more than one hundred dollars for each offense.

THROWING MISSILES.

1497. No person shall throw or cast any stone or other missile in, from or to any street or public place in the city under a penalty of not more than five dollars for each offense.

CLEANSING GOODS IN STREETS.

1498. No person shall wash, rinse or cleanse or cause or procure to be washed, rinsed or cleansed any cloth, yarn or garment in any street or public place in the city, under a penalty of not more than ten dollars for each offense.

FLYING KITES IN STREET.

1499. No person shall rise or fly or attempt to rise or fly any kite in any street or other public place in the city, under a penalty of five dollars for each offense.

SPILLING OIL ON ASPHALT PAVEMENT.

1500. It shall be unlawful for any person or corporation to spill any turpentine, kerosene, gasoline, benzine, naphtha, coal oil, or any

product thereof, or any oil used for lubricating, illuminating, or fuel purposes, or allow any of such fluids to escape to or upon any asphalt pavement of the city, or to operate or permit to be operated any tank wagon or other vehicle from which any of such fluids are permitted to escape, under a penalty of not less than five nor more than fifty dollars for each offense.

**1500A. Selling street railway transfers.]** It shall be unlawful for any person to sell, barter or exchange for any consideration whatsoever any street railway transfer ticket or other instrument issued by any person or corporation operating any street railway within the city giving, or purporting to give, to the holder of such transfer ticket or other instrument the right to transfer, without the payment of additional fare, from one car to another car on the same line or route, or from one line or route to the car or cars operated upon another line or route; or for any person to give away any such transfer ticket or other instrument as aforesaid to another for the purpose of enabling, or with intent to enable, the latter to use or offer the same for passage upon any street railway car or cars; or for any person not lawfully entitled thereto who shall receive any such transfer ticket or other instrument as aforesaid to use, or attempt to use, or offer the same for passage upon any street railway car or cars: Provided, however, that this section shall not relate to nor in any manner affect the issuing and giving of transfer tickets or other instruments as aforesaid by the agents or employes of any street railway to passengers thereof lawfully entitled thereto.

Any person violating any of the provisions hereof shall be fined not less than five dollars nor more than one hundred dollars for each offense.

## CHAPTER XL

### NURSERIES.

**1501. Nursery defined.]** For the purpose of this chapter a public nursery is defined as a place where infants are received and retained for hire or reward, while under the age of three years, for nursing and maintaining apart from their parents for a longer period than twenty-four hours.

**1502. License required.]** It shall not be lawful for any person, or corporation other than the regularly constituted authorities of the United States, state of Illinois, county of Cook or city of Chicago or a duly incorporated association for the care of children which has been accredited pursuant to an act of the legislature to regulate the treatment and control of dependent, neglected and delinquent children, to retain or receive for hire or reward more than three infants under the age of three years for the purpose of nursing or maintaining such infants apart from their parents for longer period than twenty-four hours without first obtaining a license therefor, as hereinafter provided.

**1503. Application.]** Any person or corporation other than the regularly constituted authorities of the United States, state of Illinois, county of Cook or city of Chicago, or a duly incorporated association for the care of children which has been accredited pursuant to an act of the legislature to regulate the treatment and control of dependent, neglected and delinquent children, desiring to establish, conduct or maintain a public nursery within the limits of the city, shall first make a written application to the commissioner of health, which application shall state the location or proposed location of such public nursery, the purpose for which it is to be opened, conducted or maintained, the accommodations or the proposed accommodations for the infants to be therein nursed or cared for, the nature or kind of treatment given or proposed to be given therein, and the name and address of the superintendent or person in charge thereof.

**1504. Inquiry—character—license—fee.]** It shall be the duty of the commissioner of health, upon presentation of such application, to make or cause to be made a strict inquiry and inspection of the facts set out therein and if he shall find from such inquiry and inspection that the location of such public nursery is suitable and will afford proper accommodations for the care of the infants to be received therein, and that the superintendent or person in charge thereof is a person of good moral character and has sufficient knowl-

edge, experience and ability properly to conduct such public nursery, the commissioner of health shall approve such application and transmit the same to the city clerk. The city clerk shall issue a license to such applicant to conduct a public nursery at the place specified in the application upon the payment by the applicant to the city collector of an annual license fee of ten dollars.

**1505. Register to be kept.]** It shall be the duty of every person, or corporation conducting a public nursery within the city to enter in a register to be kept by him, the name, sex and age of every infant received therein, the date of reception and the names and addresses of the person or persons from whom received, and so far as can be ascertained the names, addresses, nationality, religion and occupation of the parents of such infant and the reason for its being brought to such public nursery, and immediately upon the removal of each infant, the time of removal, and the names and addresses of the persons by whom removed. Such register shall be produced by the person keeping the same when and where required to do so by the commissioner of health or the juvenile court of Cook county.

**1506. Monthly reports.]** Monthly reports shall be made by the superintendent or person in charge of such public nursery to the commissioner of health, giving the name, age and sex of each child which is or has been in such institution during such month.

**1507. Right of entry.]** The commissioner of health, or his representative, shall have the right to and it shall be his duty to enter any place where a public nursery is conducted for the purpose of inspecting the same at such times and under such rules and regulations as shall be prescribed by the department of health.

**1508. Revocation of license.]** The commissioner of health may revoke any such license at any time if upon inspection he shall find the public nursery for which it was issued to be conducted, managed or maintained in violation of any of the provisions of this chapter or of any of the health or sanitary ordinances, rules or regulations of the city.

**1509. Penalty.]** Any person or corporation violating any of the provisions of this chapter, or any rule or regulation of the department of health, shall be fined not more than two hundred dollars for each offense.



## CHAPTER XLI.

### OFFICERS.

**1510. Appointees of mayor—term.]** All officers appointed by the mayor by and with the advice and consent of the city council, whose term of office is not otherwise expressly provided for by law, shall be appointed on the first Monday in May next succeeding the general election for mayor or as soon thereafter as is practicable and shall hold their respective offices during the term of the mayor appointing them and until their successors are appointed and qualified.

**1511. Official bonds—conditions.]** The bonds of all officers shall be executed with two or more sureties, conditioned as provided in the statutes of the state of Illinois and the ordinances of the city.

**1512. Sureties—justification.]** Such sureties shall justify separately on the back of the bond, under oath, that they are respectively worth the sums stated in their respective justifications over and above all debts and liabilities by them owing or incurred, or for which their property is liable or incumbered at the time of justification, and over and above all exemptions by law of their property from execution. The sums stated in such justifications, on the bond of any officer shall in the aggregate equal the amount of such bond.

**1513. Sureties—oath.]** In any and all cases where any officer of the city of Chicago shall be, by ordinance, required to take a bond, such officer shall examine the sureties on such bond touching their sufficiency, and require such examinations to be reduced to writing and signed and sworn to by such sureties.

**1514. Acknowledgment—approval.]** The execution of such bond shall be acknowledged by the principal and his sureties before some person authorized to take the acknowledgment of deeds, and a certificate of such acknowledgment made thereon. After the approval of all bonds, required to be approved by the city council, the clerk shall endorse thereon the date of approval and file the same.

**1515. Salaries fixed annually.]** The salaries or compensation of all officers, clerks and employes of the city, shall be determined and fixed by the city council in the annual appropriation bill.

**1516. Salaries payable monthly.]** The salaries and pay of all officers and employes shall be due and payable monthly or semi-monthly to each person entitled thereto, in the manner prescribed by the rules and regulations of the department of finance.

**1517. Fees established.]** Any city officer upon whom the duty de-

volves is hereby authorized to demand and receive as fees for the use of the city (except where provision is herein made to the contrary):

For transferring each license, one dollar.

For taking bond on such transfer, one dollar.

For each deed for real estate issued by the city, two dollars.

For the use of the corporate seal on any attestation, acknowledgment or other certificate, fifty cents.

Administering oath and attesting the same, twenty-five cents.

For certified copies of any record, each one hundred words, twenty-five cents.

**1518. Badges for city employes.]** The head of every department of the city government shall furnish, at the expense of the city, to each employe in his department whose duties bring him in contact with the public at places other than the city hall or other municipal building, a badge of authority, showing the nature of the employment of such person, which badge shall be worn at all times when the employe is on duty.

**1519. Number—register.]** The badges issued by the head of each department shall be numbered in consecutive order, and the name of the employe to whom each number is issued shall be kept in a register maintained by the head of the department.

**1520. Penalty.]** If any person not an employe of the city shall wear, display or use any such badge, he shall be fined in a sum of not less than ten dollars nor more than one hundred dollars for each offense.

**1521. Reports—special.]** All officers of the city shall, in addition to the reports by this ordinance required to be made by them, report to the mayor in writing, when required, the condition of their respective offices and of the business and all matters therein touching the interests of the city.

**1522. Delivery of property to successor.]** Every person having been an officer of the city shall within five days after notification and request deliver to his successor in office all property, books and effects of every description in his possession belonging to the city or appertaining to his said office, under a penalty of not less than fifty nor more than two hundred dollars for each offense.

**1523. Office hours.]** The offices of the respective city officers, except as hereinafter mentioned, shall be open every day except Sundays and such holidays as shall be observed by the general custom of the city, or by order of the proper authority, from nine o'clock in the forenoon to five o'clock in the afternoon. The office of the mayor shall be open at such hours as he shall prescribe. The office of treasurer shall be open during the usual banking hours observed by the banks throughout the city.

**1524. Penalty.]** Any officer violating any provision of this chapter shall be deemed guilty of misconduct in office and be liable to removal from office therefor.

## CHAPTER XLII.

### OFFICIAL NEWSPAPER.

**1525. Annual contract for publication.]** The city comptroller shall annually on the first Monday of December advertise in such daily newspaper or newspapers published in the city as he may select, inviting proposals for the following contract:

For the publication in an English newspaper, being published at least six times a week, of those matters and things required by law or any ordinance of the city to be published in a newspaper.

**1526. Letting contract — bids — how made.]** Such advertisement shall be published for ten consecutive days; and such contract shall be let to the lowest reliable and responsible bidder. All bids shall be sealed and directed to and deposited with the comptroller within twenty days after the date of the first publication of such advertisement.

**1527. Award of contract.]** Such bids shall be opened, at the hour and place mentioned in such advertisement, by the comptroller in the presence of the mayor and the chairman of the committee on finance, who shall constitute a board for such purpose, and it shall then and there be ascertained and determined by the majority of said board who is, if any one, the lowest reliable and responsible bidder for such contract.

**1528. Two or more making same bid.]** If two or more persons make the same bid, which is the lowest bid, for such contract, and both or all are equally reliable and responsible persons in the opinion of a majority of said board, said comptroller shall re-advertise for proposals for such contract and such subsequent advertisement may be in the discretion of the comptroller for three instead of ten days as required herein. If one of said persons making the same bid, which is the lowest bid, is in the opinion of a majority of said board reliable and responsible, and the others are not, then such contract shall be awarded to such so adjudged reliable and responsible persons.

**1529. Circulation considered—limitation.]** In determining who is the lowest reliable and responsible bidder for such contract, said board may take into consideration the circulation of the bidder's newspaper within the limits of the city; Provided, however, no advertisement for any city printing whatsoever shall be given or let to any newspaper in the city which in its columns has taught, or teaches, advocates or abets any measures, or any people, who have for their

object the overthrow, by force or illegal means, of the laws of the government, the state, or the city.

**1530. Approval of bids—letting contract.]** All bids received by the comptroller, and the action of said board thereon, shall be reported by said comptroller to the city council for its approval; and when approved by that body, such contract shall be let by said comptroller to the person to whom it was awarded by said board, for the period of one year and no longer.

**1531. Official journal—bond.]** The newspaper to which such contract may be awarded and let shall be the official journal of the city, and shall forthwith furnish a bond with two sureties, to be approved by the comptroller, in the sum of five thousand dollars for the faithful performance of such contract.

**1532. Matter to be printed—approval by comptroller—exception—payment.]** All matters to be printed in the official journal, except such as emanate from the city council, shall first be delivered to the comptroller for his approval; and all payments for printing done by the official journal shall be made monthly.

**1533. Daily newspapers furnished and filed.]** One copy of each daily newspaper published in the city shall be furnished to the respective offices of the mayor and the city clerk, which said newspapers shall be placed regularly on file as part of the public archives of the city.

**1534. Printing of Board of Local Improvements.]** Nothing in this chapter contained shall be held to apply to any printing, notices or advertisements of the Board of Local Improvements.

## CHAPTER XLIII.

### OILS.

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#### ARTICLE I.

##### OIL INSPECTOR.

**1535. Office created—appointment—qualification—salary.]** There is hereby created the office of inspector of oils. He shall be appointed by the mayor by and with the advice and consent of the city council. Said inspector shall be a person having a thorough knowledge of mineral oils. He shall receive as and for his salary and in full compensation for the discharge of all the duties of said office and in lieu of all fees and emoluments pertaining thereto the sum of three hundred dollars per month.

**1536. Deputies.]** Said inspector of oils may, subject to the approval of the mayor appoint not to exceed five deputies for whom he shall be accountable; such deputies are hereby empowered to perform such duties as may be assigned to them by the said inspector.

**1537. Bond.]** Said inspector shall, before entering upon the duties of his office, execute a bond to the city in the sum of ten thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**1538. Test, apparatus, how procured—brand.]** Upon the application of any manufacturer, refiner or producer of or dealer in any coal oil, naphtha, gasoline, benzine, or other mineral oils or fluids, the product of petroleum, or of any officer or person to test any such articles, said inspector shall test the same with all reasonable dispatch by applying the fire test as indicated by John Tagliabue's pyrometer or some other instrument or means equally accurate, which he shall provide at his own expense. If the oils or fluids so tested will not ignite or explode at a temperature of less than one hundred and fifty degrees Fahrenheit, the inspector shall mark plainly and intelligibly on each cask, barrel or package, "Approved, fire test being —;" but, if the said oils or fluids will ignite or explode at a temperature of less than one hundred and fifty degrees Fahrenheit, as aforesaid, then the inspector shall mark each cask, barrel or package, "Condemned for illuminating purposes, fire test being less than one hundred and fifty degrees."

**1539. Fee for inspection—record of—receipt to payor—expenses—report to comptroller.]** The inspector shall require from each person or corporation for whom he performs any official service, in accordance with the provisions of this article, payment in cash for such service at the rate of six cents for inspecting or examining and branding each package, cask, barrel, tank or other receptacle of a capacity not exceeding fifty-two gallons. Where any package, cask, barrel, tank or other receptacle shall contain more than fifty-two gallons, he shall charge for inspecting or examining and branding each such package, cask, barrel, tank or other receptacle at the rate of six cents for every fifty-two gallons or major fraction thereof which shall be contained in such package, cask, barrel, tank or receptacle. He shall, in a book to be kept by him for that purpose, keep a full, true and minute account in detail of all the fees, charges and emoluments of his office, designating in corresponding columns the amount of all fees, charges and emoluments earned and all payments received on account thereof, and showing the name of each person or corporation for whom services were performed. When such fees or charges are paid, the date and amount of such payment shall be entered. Where such fees or charges are due and unpaid, the date when due and the amount to be paid shall be entered. He shall give each person or corporation for whom any official service is performed by him in accordance with the provisions of this article, a receipt for the amount of the fee or charge paid for such service, and shall make an entry upon a stub, in the receipt book to be kept by him for that purpose, of all the material matters contained on each such receipt so given. The necessary expenses of the office, including the salaries of said inspector and his deputies, and the cost and maintenance of the necessary instruments and apparatus required by him in and by the performance of his duties, shall be paid by said inspector out of the fees received by him.

Said inspector of oils shall make to the comptroller, on or before the tenth day of each month, a report in writing, verified by his affidavit, showing all the fees and charges collected by him by virtue of his office, during the preceding month and, at the same time, shall pay into the city treasury the net amount of all such fees and charges so collected by him. A failure by the said inspector of oils to make such report and pay over such fees and charges collected by him, within the time above limited, shall be considered as a resignation of such office and the mayor may, thereupon, declare the office vacant and appoint a successor.

**1540. Trading in oils unlawful.]** No inspector or deputy inspector, while in office, shall manufacture, buy, sell, bargain or otherwise trade, directly or indirectly, in any article which they are appointed to inspect; and for any violation of this article he or they

shall be liable to the forfeiture of his or their bond and removal from office.

**1541. Certificate of inspection—record.]** The inspector shall, within twenty-four hours after the inspection of any oils, furnish a true and accurate account thereof to the party employing him and shall make an entry of all oils inspected, in an intelligible manner, in a book prepared for that purpose, which shall be open to inspection by all parties.

**1542. Inspector not required to brand until fees are paid.]** When any inspection shall have been made by the inspector or any of his deputies of any of said oils, said inspector or his deputies shall not brand, stamp or mark the package, cask, barrel, tank or other receptacle containing any of said oils until the fee or charges due for such examination shall have been paid, and no oil shall be sold or permitted to be sold or offered for sale out of any such package, cask, barrel, tank or other receptacle so inspected until the inspector's brand or mark shall have been affixed thereto in accordance with the provisions of this chapter.

**1543. Penalty.]** Any person or corporation who shall violate any of the provisions of article I of this chapter, or who shall use or refill any cask, barrel, package, tank or receptacle having the inspector's brand or brands thereon, for the purpose of fraudulently evading the conditions of article I of this chapter, or who shall mark the inspector's device or any mark or marks purporting to be the mark or marks of the inspector upon any cask, package, barrel, tank or other receptacle of any of the articles named in article I of this chapter, or who shall sell or offer for sale within the city any of said oils that has not been examined by said inspector or his deputy, or who shall sell or offer for sale any of said oils out of any cask, barrel, tank, package or other receptacle, which has not been branded or marked by said inspector in accordance with the provisions of this chapter, or who shall keep or store within the city for more than twenty-four hours any of said oils which have not been inspected and branded by said inspector or his deputy, or who shall sell or offer for sale for illuminating purposes any oil which has been condemned for such purpose, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

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## ARTICLE II.

### COMMON CARRIERS OF OIL.

**1544. Make daily report of consignment of oils.]** Common or private carriers engaged in the transportation of petroleum, coal oil,

naphtha, gasoline, benzine, and other mineral oils or fluids the product of petroleum, to be delivered within the city, are hereby required to make and deliver a written report to the inspector of oils of the city within twenty-four hours after the arrival within the city of all consignments of petroleum, coal oil, naphtha, gasoline, benzine, and other mineral oils or fluids, the product of petroleum.

**1545. Report to show consignee—description—car, etc.]** The report required by section 1544 shall show the name of the consignee, the number and kind of packages, with description of the contents, and if carried by a railroad transportation company the number and description of the car in which the oil is received shall also be given, or, if carried by steamship, steamboat, barge, lighter or sailing vessel the name of the steamship, steamboat, barge, lighter or sailing vessel shall be shown on such report, or if it be transported by pipe line the estimated number of fifty-gallon barrels received daily.

**1546. Penalty.]** Any common or private carrier who shall neglect or refuse to make the report required by the terms of sections 1544 and 1545 shall be fined not less than ten dollars nor more than two hundred dollars for each such neglect or refusal.



## CHAPTER XLIV.

### ORDINANCES.

**1547. Two penalties—elective—one judgment.]** In all cases where the same offense is made punishable or is created by different clauses or sections of the ordinances of the city, the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense.

**1548. Minimum but no maximum fine—judgment may be \$200.]** Whenever in this or any ordinance hereafter passed, a minimum but no maximum fine or penalty is imposed, the court may in its discretion fine the offender any sum of money exceeding the minimum fine or penalty so fixed, not exceeding the sum of two hundred dollars.

**1549. Repeal of repealing ordinance—non revivor.]** When any ordinance repealing a former ordinance, clause or provision shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall be therein so expressly provided.

**1550. Construction of words.]** Whenever any words in any section of this ordinance importing the plural number shall be used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included although distributive words may not be used. And when any subject matter, party or person shall be referred to in any section of this ordinance by words importing the singular number only, or the masculine gender, several matters, parties or persons, and females as well as males, and bodies corporate shall be deemed to be included. The word "ordinance" whenever used in any section of this code shall be held and taken to mean this entire code including each and every section thereof. The word "city" whenever used in any section of this ordinance shall be held and taken to mean the city of Chicago. Provided, that these rules of construction shall not be applied to any section of this ordinance which shall contain any express provision excluding such construction, or where the subject matter or context of such section may be repugnant thereto.

**1551. Where no fine or penalty expressed.]** Whenever in any section of this ordinance the doing of any act or the omission to do any act or duty is declared to be a breach thereof, and there shall be no fine or penalty declared for such breach, any person who shall be convicted of any such breach shall be fined not less than three dollars nor more than one hundred dollars for each such breach.

**1552. Revised ordinances—deposit and distribution.]** All the printed books belonging to the city containing the revised ordinances shall be deposited with the city comptroller. He shall deliver one copy thereof to the mayor, one copy to each alderman, and one copy to each head of a department of the city and to such other persons as the city council may direct.

**1553. Revised ordinances—presentation of copies.]** The mayor shall have power to extend to or reciprocate courtesies of other cities, by presenting to them a copy of the revised ordinances bound at the expense of the city in such manner as to him may seem suitable.

## CHAPTER XLV.

### PARKS AND PUBLIC GROUNDS.

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#### ARTICLE I.

##### GENERAL REGULATIONS.

**1554. Superintendence.]** It shall be the duty of the commissioner of public works to superintend all inclosed public grounds and keep the fences thereof in repair, the walks in order and the trees properly trimmed, and improve the same according to plans approved by the city council.

**1555. Entrance and egress.]** No person shall enter or leave any of the public parks of the city except by the gateways. No person shall climb or walk upon the walls or fences thereof.

**1556. Animals prohibited.]** No person shall turn or lead any cattle, horses, goat, swine or other animals into any of such parks.

**1557. Firearms—missiles.]** All persons are forbidden to carry firearms or to throw stones or other missiles within any of the public parks. All persons are forbidden to cut, break or in any way injure or deface trees, shrubs, plants, turf, or any of the buildings, fences, bridges or other construction or property within any of such parks.

**1558. Peddling and hawking prohibited.]** No person shall expose any article or thing for sale within any of such parks, nor shall any hawking or peddling be allowed therein.

**1559. Indecent words—fortune telling.]** No threatening, abusive, insulting or indecent language shall be allowed in any part of any of such parks whereby a breach of the peace may be occasioned; nor shall any person tell fortunes or play at any game of chance at or with any table or instrument of gaming, nor commit any obscene or indecent act therein.

**1560. Entrances closed.]** The commissioner of public works may direct that any of the entrances to the public parks be closed at any time.

**1561. Bill posting prohibited.]** No person shall post or otherwise affix any bills, notice or other paper upon any structure or thing within any such park nor upon any of the gates or inclosures thereof.

**1562. Prohibited uses.]** No person shall play upon any musical

instrument, nor shall any person take into or carry or display in any such public park any flag, banner, target or transparency. No military company shall parade, drill or perform therein any military or other evolutions or movements.

**1563. Bonfires.]** No person shall light, make or use any fire in any such public park.

**1564. Grass.]** No person shall go upon the grass, lawn or turf of the parks except when and where the word "common" is posted, indicating that persons are at liberty at that time and place to go on the grass.

**1565. Penalty.]** Any person who shall violate any of the provisions of this article shall be fined not less than five dollars nor more than one hundred dollars for each offense.

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## ARTICLE II.

### PUBLIC PLAYGROUNDS AND BATHING BEACHES.

**1566. Bureau established.]** There is hereby established a bureau of the municipal government to be known as the bureau of public playgrounds and bathing beaches, which shall embrace the superintendent of said bureau, the secretary, and such other employes as the city council may by ordinance provide. Such bureau shall be under the sole supervision and control of the special Park Commission as constituted by a resolution of the city council, passed November 6, 1899, and amended November 27, 1899.

**1567. Superintendent—duties.]** There is hereby created the office of director of athletics and superintendent of public playgrounds and bathing beaches. He shall be the head of said bureau and shall be appointed by the mayor according to law.

Said director of athletics and superintendent, subject to the supervision of the said commission, shall have the management and control of all public playgrounds and bathing beaches and of all matters pertaining to the administration, improvement, conduct, and regulation thereof. He shall have full power, direction, and control over all directors or other employes as may be provided for by the city council in connection with the maintenance and management of such public playgrounds and bathing beaches.

**1568. Secretary—duties.]** There is hereby created the office of secretary of the bureau of public playgrounds and bathing beaches. He shall be appointed by the mayor according to law.

Said secretary shall perform all clerical duties required in and about said bureau and shall keep a full and comprehensive record of

all matters pertaining to said bureau and shall perform such other duties as he may be required to perform by the director of athletics and superintendent or by the said commission.

**1569. Police power of superintendent, secretary, etc.]** The director of athletics and superintendent, and the secretary of said bureau and any director or other employe of said bureau in charge of any public playground or bathing beach shall have full police powers and for that purpose shall be sworn in as a special policeman by the superintendent of police and furnished with a suitable badge of authority.

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### ARTICLE III.

#### WARD PLAYGROUNDS.

**1570. Aldermen may provide.]** Each alderman for and in the ward which he represents may, without charge to the city, provide such playgrounds, parks, breathing spaces and places of amusements as he in his own judgment shall deem fit, and may fence them in, and provide all paraphernalia necessary, such playgrounds, parks, breathing spaces and places of amusement to be under the sole care and control of the alderman providing the same.

No entrance or admission fee shall be charged to such places so provided.

**1571. Skating rinks—free water.]** During the winter months the alderman providing such places of amusement may so change them as to make a rink for skating and kindred purposes, and to do so may use water taken from the city hydrants without charge.

**1572. Free electric lights.]** Whenever any public playground, park, breathing space or place of amusement shall be established in the city, in accordance with this article, the city electrician is hereby authorized and directed to conduct electric light wires to such playground, park, breathing space or place of amusement, and erect and equip a sufficient number of lamps to light such grounds, and supply enough electric current to keep such lights burning from sundown to eleven o'clock at night, or during such time as the alderman in charge thereof shall determine.

## CHAPTER XLVI

### PAWNBROKERS.

**1573. Pawnbroker defined.]** Every person or corporation engaged in the business of receiving property in pledge, or as security for money or other thing advanced to the pawner or pledger, shall be held and is hereby declared and defined to be a pawnbroker.

**1574. License—application.]** No person or corporation shall engage in, carry on or conduct the business of a pawnbroker within the city, unless he or it be licensed so to do. Any person or corporation desiring a license as a pawnbroker shall make application in writing therefor to the mayor, setting out in such application the full name and residence of the applicant, if an individual, and if a corporation the name and residence of each of its officers. Such application shall also set out the location at which it is intended or desired to conduct such business.

If such applicant shall produce satisfactory evidence to the mayor of good character, he shall direct the city clerk to issue a license to such applicant to conduct, carry on or engage in the business of a pawnbroker at the place described in such application, for and during the period of such license. And upon payment by said applicant to the city collector of an annual license fee of three hundred dollars, and the filing of the bond hereinafter provided for, said applicant shall be entitled to receive a license to carry on, conduct or engage in the business of pawnbroker at the place designated in such license.

**1575. Change of location.]** If, after issuance and delivery of a license under the provisions of this chapter, any change be made in the location of the place of business designated therein, no business shall be carried on or engaged in at such new location under such license, until notice of such change shall have been given, in writing, by the licensee to the city collector.

**1576. Bond.]** Every person so licensed shall at the time of receiving such license execute a bond to the city in the sum of five hundred dollars with good and sufficient sureties, conditioned for the due observance of the ordinances of the city respecting pawnbrokers and loanbrokers or keepers of loan offices, at any time during the continuance of such license.

**1577. Record of loans and pledges.]** Every pawnbroker and loanbroker or keeper of a loan office shall keep a book in which shall be fairly written in ink at the time of each loan an accurate account

and description in the English language of the goods, article or thing pawned or pledged, the amount of money loaned thereon, the time of pledging the same, the rate of interest to be paid on such loan, and the name and residence of the person pawning or pledging the said goods, article or thing. No entry made in such book shall be erased, obliterated or defaced.

**1578. Memorandum to pledger.]** Every pawnbroker and loanbroker or keeper of a loan office shall at the time of each loan deliver to the person pawning or pledging any goods, article or thing, a memorandum or note signed by him containing the substance of the entry required to be made in his book by the last preceding section; and no charge shall be made or received by any pawnbroker or loanbroker or keeper of a loan office for any such entry, memorandum or note.

**1579. Inspection of records.]** The said book, as well as every article or other thing of value pawned or pledged, shall at all reasonable times be open to the inspection of the mayor or any member of the police force.

**1580. Purchases prohibited.]** No pawnbroker, loanbroker or keeper of a loan office shall under any pretense whatever purchase or buy any second-hand furniture, metals or clothes or any other article or thing whatever offered to him as a pawn or pledge.

**1581. Report to police.]** It shall be the duty of every person licensed as aforesaid to make out and deliver to the superintendent of police every day before the hour of twelve o'clock noon, a legible and correct copy from the book required in section 1577 hereof, of all personal property and other valuable things received on deposit during the preceding day, setting forth the hour when received, and a description of the person by whom left in pledge.

**1582. Redemption of pledge—when prohibited.]** No personal property received on deposit or pledge by any such licensed person shall be sold or permitted to be redeemed or removed from the place of business of such licensed person for the space of twenty-four hours after the copy and statement required to be delivered to the superintendent shall have been delivered as required by the preceding section.

**1583. Hours of business.]** No person licensed as aforesaid shall receive on deposit or pledge any personal property or other valuable thing before the hour of six a. m., or after the hour of eight p. m., during the months of January, February, March, April, October, November and December of each year; nor before the hour of five a. m. or after the hour of nine p. m., during the months of May, June, July, August and September of each year.

**1584. Pledge from minor prohibited.]** No person licensed as aforesaid shall take or receive in pawn or pledge for money loaned,

any property, bonds, notes, securities, article or other valuable thing from any minor, or the ownership of which is in, or which is claimed by, any minor, or which may be in the possession or under the control of any minor.

**1585. Licensee's business limited.]** No person licensed as aforesaid shall carry on any other business or vocation directly or indirectly in the same building, or in any building adjoining the place or building in which he may be licensed to carry on the business of pawnbroker, loanbroker or keeper of a loan office.

**1586. Employees under sixteen prohibited.]** No person licensed as aforesaid shall permit any person under the age of sixteen years to take pledges in pawn for him.

**1587. Pledges from thief, etc., prohibited.]** No person so licensed shall take any article in pawn from any person appearing to be intoxicated, nor from any person known to be a thief, or to have been convicted of larceny or burglary, and when any person is found to be the owner of stolen property which has been pawned, such property shall be returned to the owner thereof without the payment of the amount advanced by the pawnbroker thereon or any costs or charges of any kind which the pawnbroker may have placed upon the same.

**1588. Revocation of license on police report.]** It shall be the duty of the superintendent of police to report to the mayor any failure to comply with or any violation of any provision of this chapter on the part of any such licensee, and the mayor may thereupon revoke the license of such person.

**1589. Penalty.]** Any pawnbroker, loanbroker, or keeper of a loan office who shall violate, neglect or refuse to comply with any of the provisions of this chapter shall, in addition to the revocation of his license, be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.



## CHAPTER XLVII.

### PEDDLERS.

**1590. Definition of peddlers—peddlers required to be licensed—penalty.]** Every person who shall sell or offer for sale, barter, or exchange, at retail, any goods, wares, merchandise, fruits, vegetables, or country produce, traveling from place to place on, along, or upon the streets of the city, or who shall sell and deliver from any wagon, pushcart, or other vehicle going from place to place, any goods, wares, merchandise, fruits, vegetables, or country produce, or who shall go about from place to place selling and delivering goods, wares, merchandise, fruits, vegetables, or country produce, shall be deemed a peddler and shall before engaging in such business obtain a license as a peddler as hereinafter provided.

No person shall engage in or conduct the business of a peddler as above specified and defined without a license, under a penalty of not less than twenty dollars nor more than fifty dollars for each offense.

**1591. License—application.]** Every person who desires a license as a peddler shall make application in writing therefor to the mayor, setting out in such application the full name and the residence of such applicant and whether he desires to be licensed to peddle from a wagon or from a pushcart or handcart or as a pack peddler or as a peddler of fruits, cakes, candy, nuts, and other like commodities from a basket or other like receptacle carried by himself. Such application shall also state in what commodity or article of merchandise such peddler desires or intends to deal. Upon receipt of such application and the payment by such applicant to the city collector of a license fee as hereinafter fixed for the particular form of license issued, the mayor shall thereupon issue or cause to be issued to such applicant a license attested by the city clerk authorizing such applicant to engage in and carry on the business of a peddler of the kind described in the application.

**1592. Peddlers from wagons—general peddlers—oil peddlers—wood peddlers—license fee.]** The fee to be charged for a license to peddle from a wagon or other vehicle drawn or propelled by animal power other than that supplied by a human being or drawn or propelled by mechanical power shall be fifty dollars per annum. Such license shall entitle the licensee to use one such wagon or similar vehicle in and about his business. For each additional wagon or other similar vehicle used by him in and about his business he shall pay an

annual license fee of fifty dollars. Provided, however, that persons desiring a license to peddle oil, solely, or wood, solely, from a wagon or other similar vehicle may be licensed for either of such purposes and shall be required to pay for such license the sum of ten dollars per annum. A license issued authorizing the peddling of oil, solely, or wood, solely, from a wagon or other similar vehicle shall entitle the licensee to use one such wagon or other similar vehicle in and about his business, and for each additional wagon or other similar vehicle used by such licensee in and about the business of peddling oil or peddling wood there shall be paid an additional license fee of ten dollars per annum.

**1593. Peddlers from pushcarts or handcarts—license fee.]** The fee to be charged for a license to peddle from a pushcart, handcart, or other similar vehicle drawn or propelled by a human being shall be twenty-five dollars per annum. Such license shall entitle the licensee to use one such pushcart, handcart, or other similar vehicle in and about his business. For each additional pushcart, handcart, or other similar vehicle used by him in and about his business he shall pay an annual license fee of twenty-five dollars.

**1594. Pack peddlers—license fee.]** The fee to be charged for a license as a pack peddler shall be fifteen dollars per annum.

**1595. Peddlers from baskets, etc.]** The fee to be charged for a license to peddle fruits, cakes, candy, nuts, and other like commodities from a basket or other like receptacle carried by a peddler shall be ten dollars per annum.

**1596. License periods.]** Licenses to peddle from a wagon, from a pushcart or a handcart or as a pack peddler may be paid for in quarterly instalments, in advance, as of the first day of February, May, August, and November in each year. No such license shall be issued for any period of time for a sum less than one quarter of the annual license fee.

Licenses to peddle fruits, cakes, candy, nuts, and other like commodities from a basket or other like receptacle carried by a peddler may be paid for in monthly instalments, in advance on the first day of each month; but no such license shall be issued for any period of time less than a month for a smaller fee than one twelfth of the annual license fee.

**1597. Peddlers' wagons, pushcarts, and handcarts to be marked.]** Every peddler whose license entitles him to use a wagon or other similar vehicle in and about his business, drawn or propelled by animal or mechanical power, shall obtain from the city clerk at the time his license is issued, two painted metal plates, eight inches long and four inches wide, for each wagon or other similar vehicle to be used by him in or about his business. Such plates shall have stamped thereon a number corresponding to the number of such peddler's

license and the words "Chicago Wagon Peddler" together with the year for which such license is issued. Such plates shall be of a different color and design for each license year.

Every peddler whose license entitles him to use a handcart, pushcart or other similar vehicle in and about his business, shall obtain from the city clerk at the time his license is issued two painted metal plates, eight inches long and four inches wide, for each such handcart, pushcart, or other similar vehicle to be used by him in and about his business. Such plates shall have stamped thereon a number corresponding to the number of such peddler's license and the words "Chicago Peddler—Handcart," together with the year for which such license is issued. Such plates shall be of a different color and design for each license year.

Every person licensed solely as an oil peddler or solely as a wood peddler shall obtain from the city clerk, at the time his license is issued, two painted metal plates, eight inches long and four inches wide, for each wagon or other similar vehicle to be used by him in and about his business. Such plates shall have stamped thereon a number corresponding to the number of such peddler's license and the words "Chicago Oil Peddler" or "Chicago Wood Peddler," as the case may be, together with the year for which such license is issued. Such plates shall be of a different color and design for each license year.

Every licensed peddler using in or about the business of peddling, a wagon or other similar vehicle for which such plates have been furnished shall cause such plates to be securely fastened on the outside of each side of the wagon or other similar vehicle used by him, in some conspicuous place so that the same may be easily seen.

**1598. Removal of plates at expiration of license.]** At the expiration of any license year for which any peddler is licensed to use any wagon or other similar vehicle required by this chapter to be marked with metal plates, such peddler shall remove or cause to be removed forthwith from such wagon or other similar vehicle bearing such plates, the plates affixed thereto under the provisions of this article; and no licensed peddler shall be permitted to use any wagon or other similar vehicle in and about his business with any metal plate affixed thereto for a license period or year other than the license period or year during which such metal plate is affixed.

If any such peddler shall have been licensed for part of a license year and shall not renew or continue such license and there shall be remaining any part or period of the license year at the expiration of the period for which such peddler was licensed, such peddler shall forthwith deliver or cause to be delivered to the city clerk any and all metal plates which have been issued to him and which have been

affixed to his wagon or other vehicle as required in and by the provisions of this chapter.

**1599. Peddlers to wear badge.]** Every person having a license as a peddler while engaged in the business of peddling shall wear conspicuously on the outside of his outside coat a metal badge or shield, one and one half inches long and one and one eighth inches wide. If such peddler be licensed to peddle from a wagon or other like vehicle the badge to be worn by him shall have stamped thereon the words "Wagon Peddler." If such peddler be licensed to peddle from a pushcart, handcart, or other like vehicle such badge shall have stamped thereon the words "Handcart Peddler." If such peddler be licensed as a pack peddler such badge shall have stamped thereon the words "Pack Peddler." If such peddler be licensed to peddle from a basket or other like receptacle such badge shall have stamped thereon the words "Basket Peddler." If such peddler be licensed as an oil peddler or as a wood peddler, solely, such badge shall have stamped thereon the words "Oil Peddler" or "Wood Peddler," as the case may be.

Such badges shall be of a different color and design for each license year and shall bear thereon a number corresponding to the number of the license issued to the peddler wearing such badge together with the license year for which such badges are issued.

**1600. Oil peddlers—license—drip-pans on wagons—bond, etc.]** Any person desiring to obtain a license to engage in, conduct, or carry on the business of peddling oil solely shall so state in his application and shall specify the number of wagons or other similar vehicles he desires or intends to employ in and about such business, and such application shall be accompanied by a certificate from the commissioner of public works certifying that each such wagon or other similar vehicle to be used by such oil peddler in and about his business is equipped and provided with drip-pans or other devices which will effectually prevent the spilling or dripping upon the pavement or street of any of the oil or products thereof to be conveyed in such wagon or other similar vehicle and that such drip-pan or other device is of a type satisfactory to and approved by the said commissioner.

Such application shall also be accompanied by a bond executed to the city in the sum of five hundred dollars, with sureties which have been approved by the mayor, conditioned to faithfully observe and perform all the provisions of any ordinance or ordinances of the city in force at the time of such application or which may thereafter be passed and in force relating to or concerning the business of oil peddling, and conditioned further to indemnify, save, and keep harmless the city from any cost, damage, or expense which the city may suffer or be put to by or on account of any damage or injury done to any pavement or sidewalk by the spilling or depositing thereon of any oil

or product thereof by such licensed peddler or by reason of any failure or neglect on the part of such licensed oil peddler to faithfully observe and comply with the provisions of any ordinance or ordinances of the city relating to or concerning the spilling or deposit of oil or any product thereof upon the pavements or sidewalks of the city.

**1601. Peddlers' assistants on vehicles.]** Upon each wagon or other similar vehicle drawn or propelled by animal or mechanical power there shall be permitted but one helper or assistant to the driver or operator of such wagon or vehicle.

**1602. No peddling on Sunday.]** No one having a peddler's license shall peddle in the city any fruit, goods, wares, or merchandise or other article or thing whatsoever on Sunday, under a penalty of not less than twenty-five dollars nor more than fifty dollars for each offense.

**1603. Fraud—misrepresentation—imposition—penalty.]** Any licensed peddler who shall be guilty of any fraud, cheat, misrepresentation, or imposition, or who shall violate or neglect or refuse to comply with any of the provisions of this chapter, shall be fined not less than twenty dollars nor more than two hundred dollars for each offense.

## CHAPTER XLVIII.

### PLUMBERS AND PLUMBING.

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#### ARTICLE I.

##### PLUMBERS.

**1604. Certificate.]** Any person now engaged in, or hereafter engaging in, or working at, the business of plumbing in the city, either as master plumber or employing plumber, or as a journeyman plumber, shall obtain a certificate as to his competency to engage in such business in such manner as is hereinafter provided.

**1605. Application—examination.]** Any person now engaged in the business of plumbing, or who may desire to engage in such business, either as a master plumber or employing plumber, or as a journeyman plumber, shall make application to the board of examiners, hereinafter provided for, and shall, at such time and place as said board may designate, undergo such examination as to his qualifications and competency to engage in such business, or to continue to engage in such business, as the said board of examiners may direct. Said examination may be made, in whole or in part, in writing, and shall be of a practical and elementary character, sufficiently strict, however, to test the qualifications of the applicant.

**1606. Board of examiners.]** There is hereby created a board of examiners of plumbers, consisting of three members, one of whom shall be the commissioner of health, who shall be (*ex officio*) chairman of said board of examiners; a second member who shall be a master plumber and a third member who shall be a journeyman plumber. Said second and third members shall be appointed by the mayor, by and with the advice and consent of the city council. Each of said second and third members so appointed shall, before entering upon the duties of his office, execute a bond to the city, in the sum of five thousand dollars with sureties to be approved by the city council, conditioned for the faithful performance of the duties of the office to which they have been appointed.

**1607. Secretary.]** The mayor shall appoint, by and with the advice and consent of the city council, a secretary to said board of examiners, and it shall be the duty of said secretary to preserve and

keep all records, books and papers which are required by law to be kept by, or filed with, said board, and to do and perform such other services as may be from time to time required by the said board of examiners. The person appointed secretary shall, before entering upon the duties of his office, execute a bond to the city in the sum of five thousand dollars, with sureties to be approved by the city council, conditioned for the faithful performance of the duties of his office.

**1608. Powers of board—fees.]** Said board shall examine applicants as to their practical knowledge of plumbing, house drainage and plumbing ventilation; and if satisfied as to the competency of any such applicant, and upon payment to the city collector of the fee hereinafter provided for, shall issue a certificate to such applicant, authorizing him to engage in or work at the business of plumbing, either as master plumber or employing plumber, or as a journeyman plumber, as the case may be, and according to the terms of the application made by such applicant. The fee for the examination and certificate of a master plumber or employing plumber shall be five dollars, and for the examination and certificate of a journeyman plumber it shall be one dollar. All fees received for said examinations and certificates shall be paid into the city treasury.

**1609. Non-compliance with article—work not to be inspected.]** Any plumber who has not complied with the provisions of this article and obtained the certificate described in section 1608, or a certificate from a board of examiners of plumbers of any other city, town or village in accordance with the provisions of an act of the legislature entitled "An Act to provide for the licensing of plumbers and to supervise and inspect plumbing," in force July 1, 1897, shall not be entitled to have his work inspected and approved by the department of health; and said department shall not inspect or approve any work done by any plumber who has not obtained such certificate.

**1610. Penalty.]** Any person violating, neglecting or refusing to comply with any of the provisions of this article, shall be fined not less than five dollars nor more than fifty dollars for each offense, and in addition, the certificate issued as herein provided, may be revoked by the mayor, on recommendation of the commissioner of health.

**1611. Plumbers' bond.]** No licensed plumber shall be permitted to make any alteration or repair to, or do any work in or about any pipe or pipes connected with any part of the city water works system, or with any pipe or sewer connected with the city sewer system, unless such plumber shall have executed to the city a good and sufficient bond in the penal sum of ten thousand dollars with sureties to be approved by the commissioner of public works, conditioned for the faithful observance and performance of all the ordinances of the city then in force or which may thereafter be in force concerning or

regulating the water works system or the sewer system of the city, or concerning the making or maintaining of any connection or connections thereto or therewith; and conditioned further, to indemnify, save and keep harmless the city from any loss, cost, damage, expense or liability of any kind whatsoever which the said city may suffer or which may accrue against it, be charged to or recovered from said city from or by reason of any thing done by such licensed plumber or by any servant, agent or employe of his in and about the making of any alterations or repairs to, or any work done in connection with any service pipe or pipes, water main or connection with the water works system of the city, or any drain or pipe or connection with the sewer system of the city, or which may arise from or by reason of any negligence on the part of such licensed plumber in not maintaining barriers and warning signals around any excavation or opening which has been made by him in any street, alley or public way, in pursuance of the work of repairing, altering or locating any service pipe or pipes or connection to or with the water works system of the city, or sewer system of the city; and conditioned further, to restore the surface of any street, sidewalk or roadway wherever the same shall have been disturbed by him in and about the doing of any work; and conditioned further to do such work of restoration to the entire satisfaction and approval of the commissioner of public works.

No permit shall be issued to any plumber to do any work necessitating the disturbance of any street, alley or public way, or alteration, repairing or location of any service pipe or pipes connected with the water works system of the city, or any drain or pipe connected with the sewer system of the city unless such bond be in full force and effect and on file in the office of the commissioner of public works.

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## ARTICLE II.

### PLUMBING.

1612. Permit for use of water.] All applications for permits for the introduction or use of water supplied by the city shall be made in writing upon printed forms furnished by the department of public works, the blanks to be specifically and properly filled in and signed by the owner or duly authorized agent of the owner, and no work whatever shall be done in the street, or outside a building, by any plumber or other person for the purpose of making any connection to or with any city water main or pipe until after the issuance of such permit. This restriction shall not prevent any person from rendering assistance in case of accident to water pipes occur-



ring at night, or at any time requiring immediate action. In case of any such accident prompt report thereof shall be made at the department of public works by the person rendering such assistance.

**1613. Tapping street main.]** No person except the tappers employed by the department of public works shall be permitted under any circumstances to tap any street main, or insert stop-cocks or ferrules therein; all service cocks or ferrules must be inserted at or near the top of the street main, and not in any case nearer than six inches from the bell of the pipe; the size of the cock to be inserted shall be that specified in the permit.

**1614. Lead pipe—weight.]** No lead pipe shall be used in any work done under the authority of a license or permit issued by the city, except such as is known to the trade as "strong," and must weigh as follows:

Half-inch internal diameter.....	1¾ pounds per lineal foot.		
Five-eighths in. internal diameter..	2½	"	"
Three-fourths in. " " ..	3	"	"
One inch " " ..	4	"	"
One and one-fourth in. internal diam.	4¾	"	"
One and one-half in. " " ..	6	"	"
One and three-fourths in. " " ..	6½	"	"
Two inches " " ..	8	"	"

No pipe shall be used for the purpose of street service of a different material or size than herein specified except by special permit.

**1615. Service pipe—joints.]** All service pipes leading from street mains to the building line shall as far as practicable be laid in the ground to a depth of not less than five feet, and such pipe shall be laid in such manner and be of such surplus length as to prevent breakage or rupture by settlement, and all joints in such pipes shall be of the kind termed "plumber or wiped joints." The connections of pipe by the so-called "cup-joint" is prohibited.

**1616. Stop and waste cocks.]** Every service pipe shall be provided with a stop and waste cock for each consumer, easily accessible, placed beyond damage by frost and so situated that the water can be conveniently shut off and drained from the pipes.

**1617. Stop-cock—location and cover.]** Such stop-cocks unless otherwise specially permitted shall be connected to service pipes within the sidewalk at or near the curb line of the same, and be inclosed in and protected by a cast iron box with a cover having the letter "W" of suitable size cast thereon; such iron box shall be of form and dimensions satisfactory to the commissioner of public works and shall extend from service pipe to surface of sidewalk, and be of proper size to admit a stop key for operating the stop-cock.

**1618. Single tap for several buildings—cocks.]** Whenever two or more distinct buildings or premises are to be supplied by means of

branch or sub-service pipes supplied by a single tap in the street main, each branch shall be independently arranged with stop-cock and box on the curb line in the manner above described. All cocks used at the sidewalks by plumbers shall be of the kind known as "round water way."

**1619. Opening and repair of streets—permit.]** Before filling the trench the service cock in the street main shall be covered with a suitable cast iron box furnished by the city, the earth shall be well rammed under the main, to a level with the top thereof, from thence the trench shall be filled in layers of not more than twelve inches in depth, and each layer thoroughly rammed or puddled to prevent settlement. This work together with the replacing of sidewalks, ballast and paving shall be done in all cases by the city. A sufficient amount shall be deposited with the city before issuing the permit for opening the street to cover this expense. In all cases where the street to be opened has been recently paved with blocks, sufficient of the paving shall be removed so that the foundation boards or planks (if any), can be taken up without cutting. No permit shall be granted for the opening of any paved street for the tapping of mains or laying of service pipes, when the ground is frozen to a depth of twelve inches or more, except when in the opinion of the commissioner of public works there is a sufficient emergency to justify it.

**1620. Steam boilers—supply tank.]** Plumbers are prohibited from connecting pipes whereby steam boilers may be supplied with water direct with city pressure. All such boilers shall be provided with a tank or other receptacle of sufficient capacity to hold at least six hours' supply, in case of a pipe district being shut off to repair mains or make connections or extensions. In such cases the city will not be responsible for a lack of water for steam boilers or for any other purpose.

**1621. New plumbing—repairs—exposed pipes and traps—tests.]** In all buildings hereafter erected in the city, both public and private, and in all buildings already built or erected wherein any plumbing is installed or wherein any sewer connected pipe shall be repaired or changed on the sewer side of the trap, the drain, soil, rainwater, waste pipes, or any other pipe or pipes connected directly or indirectly to any drain, soil, or waste pipe, and all traps, shall be placed within buildings and exposed to view for ready inspection and test, and shall remain so exposed until approved by the commissioner of health. In no case shall a trap be inaccessible at any time.

**1622. Metal connections—to be tested and approved.]** All soil or waste pipes shall be connected to the tile sewer, if a tile sewer is laid within the building, and if the connection is made above the ground or floor, by a suitable metal connection, which shall make an air and water-tight joint, without the use of cement, mortar, putty, or other

like material, and which can and shall be tested with water when in place. Such metal connections shall be in view at the time of final inspection.

The entire fitting or piece which is used to connect the iron soil or waste pipe to the tile sewer shall be regarded as the metal connection. Metal connections which can be removed from the sewer and soil or waste pipes, after once in place without removing a portion of the iron soil or waste pipe, are prohibited. No such metal connection shall be used which has not been submitted to and tested and approved by the chief sanitary inspector and the commissioner of health. No tile sewer shall be used above the ground or cement floor or where a cement joint is exposed to the air. One of each such approved types of metal connections shall be kept in the sanitary department.

**1623. Connections outside buildings and under floors.]** Outside of the building and under ground the connection between the soil or waste pipe and the vitrified tile sewer shall be thoroughly made with live portland cement mortar, made with one part cement and two parts clean, sharp sand.

An arched or other proper opening shall be provided in the wall for the house drain to prevent damage by settlement. The opening around the house drain may be filled with pure refined asphaltum.

**1624. Drains connected with sewers—adequate size.]** It shall be the duty of every person or corporation connecting or causing to be connected any drain, soil pipe, or passage with any sewer from any building, structure, or premises to cause such drain, soil pipe, passage, and connection to be at all times adequate for its purpose and of such size and dimensions as to convey and allow freely to pass, whatever may properly enter the same.

All connections between metal pipes and between metal pipe and tile sewers shall be made by a plumber and in such manner as the commissioner of health shall direct.

**1625. Separate drainage for every building—exception.]** Every building shall be separately and independently connected with a public or private sewer, where there is any such sewer in the street adjoining such building.

The entire plumbing and drainage system of every building shall be entirely separate and independent from that of any other building, except where there are two buildings on one lot, one in the rear of the other. If there is no sewer in the alley to which the rear building can connect the sewer of the first building may be extended to serve such rear building.

**1626. Kitchen slops, etc.—water supply.** All connections with sewers or drains used for the purpose of carrying off animal refuse from water-closets or otherwise, and slop of kitchens, shall have

fixtures for a sufficiency of water to be so applied as to properly carry off such matters.

1627. *Size of soil pipe—increaser.*] Every water closet located within any building shall waste into a pipe not less than four inches in diameter. Such pipe shall be increased below the roof line as hereinafter provided and shall be carried through and above the roof.

1628. *Definition of terms.*] In this article the term “main soil pipe” is applied to any pipe receiving the discharge of one or more water closets, with or without other fixtures, and extending through the roof.

The term “branch soil pipe” is applied to any pipe receiving the discharge from one or more water closets and with or without other fixtures and leading towards and connecting with the main soil pipe, but not necessarily extending through the roof.

The term “waste pipe” is applied to any pipe receiving the discharge from any fixture or fixtures other than water closets.

The term “house drain” is applied to the pipe within any building which receives the total discharge from any fixture or sets of fixtures, and may or may not include rain water, and which conducts or carries the same to the house sewer. The house drain, when rain water is allowed to discharge into it, shall be not less than six inches internal diameter.

The term “house sewer” is applied to the tile sewer, which shall be not less than six inches internal diameter, and which begins outside of the wall of a building and connects the house drain with the public sewer in the street.

The term “main vent” is applied to the vertical line of air pipe running through two or more floors and to which the vent or revent pipes from the various floors are connected.

The term “vent pipe” is applied to any pipe provided to ventilate a system of piping, and to which the revents are connected.

The term “revent pipe” is applied to any pipe used to prevent trap siphonage and back pressure.

The term “soil” or “waste vent” is applied to that part of the main soil or waste pipe which is above the highest installed fixture waste connection and extends through the roof.

When sizes of pipes are specified the internal diameters of the pipes are meant.

1629. *Iron pipes—quality—weight.*] All soil, waste, and vent pipes, except as hereinafter specified for lead branches and brass pipes, shall be either extra heavy cast iron pipe coated with tar or asphaltum or standard galvanized wrought iron pipe; provided, that wrought iron pipe coated with tar or asphaltum may be used for soil and waste pipes, but not for soil or waste vent or for vent or re-

vent pipes. All pipes shall be sound and free from all holes, cracks, or defects of any kind.

The following weights per lineal foot will be accepted as complying with this chapter as to weight of extra heavy cast iron pipe:

Diameter					
2 inches	.....	51½	pounds	per	lineal foot.
3 "	.....	9½	"	"	" "
4 "	.....	13	"	"	" "
5 "	.....	17	"	"	" "
6 "	.....	20	"	"	" "
7 "	.....	27	"	"	" "
8 "	.....	33½	"	"	" "
10 "	.....	45	"	"	" "
12 "	.....	54	"	"	" "

Extra heavy cast iron pipe shall have the maker's name and the weight per foot clearly cast upon each section thereof.

The following weights per lineal foot are required for standard wrought iron pipe, galvanized, or tar coated pipe:

Diameter					
1½ inches	....	2.68	pounds	per	lineal foot.
2 "	....	3.61	"	"	" "
2½ "	....	5.74	"	"	" "
3 "	....	7.54	"	"	" "
3½ "	....	9.00	"	"	" "
4 "	....	10.66	"	"	" "
4½ "	....	12.49	"	"	" "
5 "	....	14.50	"	"	" "
6 "	....	18.76	"	"	" "
7 "	....	23.27	"	"	" "
8 "	....	28.18	"	"	" "
9 "	....	33.70	"	"	" "
10 "	....	40.00	"	"	" "

1630. Fittings—quality—cleanout fittings.] All fittings used for soil or waste pipe, except as hereinafter specified, shall be either extra heavy tar or asphaltum coated fittings or extra heavy galvanized, cast, or malleable iron, recessed and threaded drainage fittings. The burr formed by cutting the wrought iron pipe shall be carefully reamed out. Proper sized cleanout fittings shall be installed at each ninety degree intersection of soil or waste pipe.

1631. Cleanout—no pipe to be tapped.] On soil or waste pipes four inches or more in diameter heavy brass cleanouts, not less than four inches in diameter, shall be used.

No iron drain, soil, waste, or vent pipe shall be drilled and tapped.

**1632. Pipe joints, filling of.]** All joints on cast iron soil, waste, or drain pipes, and rain water leaders shall be so filled with picked oakum and molten lead and hand calked as to make them air and water tight. The quantity of lead used shall be twelve ounces of fine soft lead for each inch in the diameter of the pipe.

**1633. Floor rests on vertical lines.]** Vertical lines of soil, waste, or other pipes, or rain water pipes when within buildings, shall be provided with floor rests at intervals of not more than twenty feet. Such rests shall be placed immediately beneath a coupling, hub, or fitting.

**1634. Pipe supports—pipe hooks prohibited.]** The foot of every vertical soil, rain, or waste pipe shall be adequately supported by brick, stone, or concrete piers properly constructed by the use of cement mortar or cement concrete or otherwise equally well supported. Pipes under the basement floor or in the ground shall be properly laid, graded, and supported. Pipes above the floor shall either be adequately supported or suspended.

The use of pipe hooks for supporting pipes is prohibited. At the foot of each soil or waste pipe shall be placed a cleanout fitting, which shall be accessible at all times.

**1635. Prohibited fittings.]** No double hub, double "Y" or double "TY" branches shall be used on horizontal runs. On vertical lines double hubs and straight crosses shall not be used. The use of bands, saddles, and sleeves is prohibited.

**1636. No calked pipe in vibrating buildings.]** Pipes with calked joints shall not be installed in buildings subject to vibrations from operating machinery or subject to other causes likely to loosen such calked joints.

**1637. Lead pipe—quality—not within partitions.]** Lead pipe of a quality equal to "extra light" shall be used for water closet bends and as branches for vent, revent, and waste pipe connections.

Lead pipe used for vent or revent connections shall not extend into or be used within partitions.

**1638. Lead pipe connections—wiped joints—brass pipes.]** All connections between lead and metal pipes shall be made by heavy brass solder nipples, or heavy brass, or combination ferrules which have been approved by the department of health. All solder connections shall be regulation wiped joints. If brass pipe is used it shall be drawn tubing of No. 18, B. and S. gauge.

**1639. Sweep Fittings.]** Straight tees shall not be used. Long radius or sweep fittings shall be used where possible.

**1640. Chimney ventilation of soil or waste pipes prohibited.]** No brick, sheet metal, earthenware, or chimney flue shall be used for a sewer ventilator or to ventilate any trap, soil, waste, or other sewer connected pipe or opening.

**1641. Iron pipe—where used.]** Every soil, revent, vent, and waste pipe shall be of iron, except as is specified herein for lead or brass pipe.

**1642. Vertical pipes through roof—increased how.]** The vertical soil, waste, or vent pipes (where the vent or continuous waste pipe is not reconnected to a soil, waste, or vent pipe below the roof) shall extend through and above the roof at least eight inches and have a diameter of at least one inch greater than that of the pipe proper. But in no case shall it be less than four inches in diameter through and above the roof.

The increasers shall extend at least one foot below the roof. No cap or cowl shall be affixed to the top of any such pipe or pipes.

**1643. Pipes above main building—nuisance.]** Soil, waste, and vent pipes shall be carried above the roof of the main building when otherwise they would open within fifteen feet of the windows or doors of such or adjoining buildings and shall be not less than six feet from any ventilator or chimney opening of such or adjoining building or buildings; nor shall they be located so as to be a nuisance to the occupants of any building.

**1644. Soil and waste pipes extended—when.]** Branches of soil or waste pipes if twenty feet or more in length shall be extended full size and increased and extended through and above the roof. Branches of soil or waste pipes not more than fifteen feet in length shall be either carried full sized and increased and carried through and above the roof or returned (full sized for waste pipes and not less than three inches in diameter for soil pipes) to main soil vent or vent pipe of not less size than the returned pipe.

**1645. Ejectors—ventilation—size of soil and wastes.]** The soil or waste pipe leading to an ejector or other appliance for raising sewage or other waste matter to the street sewer, shall, where a water closet or closets are installed, be ventilated by a vent pipe not less than four inches in diameter. Where fixtures other than water closets are installed the waste pipe shall be ventilated by a vent pipe of the same diameter as the waste pipe. Soil vents, vents, and revents for ejectors shall be installed according to the provisions of this chapter governing soil, waste, vent, and revent pipes.

**1646. Prohibited pipes—pitch or grade.]** Horizontal soil and waste pipes are prohibited.

In all cases the pitch shall be one fourth inch to the foot, making the grade in the direction of the outflow.

**1647. Drainage fittings—horizontal vents—trapped vents.]** Where rows of fixtures are placed in line, where galvanized wrought iron pipe is used for vents and revents, galvanized iron, malleable, or cast iron, drainage fittings shall be used if possible.

Horizontal vent pipes unless practical shall not be used. No line  
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of soil, waste, or vent pipe shall be run with unnecessary bends or offsets.

Trapped or sagged, or drops in, vents or revents are prohibited. No vent pipe from the house side of any trap shall connect to any sewer, vent pipe, soil, or waste pipe.

**1648. Continuous vents.]** Trap revents shall be continuous where possible. Where the vent or revent pipes are continuous and traps are ventilated through the waste fitting, the center of the outlet of such fitting shall not be set below the water seal of the trap; and the trap shall not be more than three feet from the waste fitting.

No crown venting shall be permitted.

**1649. Size of soil and waste pipes.]** The least diameter of soil pipe permitted is four inches. A vertical waste pipe into which a kitchen sink or sinks discharge shall be two inches in diameter and at least three inches in diameter if receiving the waste of five or more floors and shall have not less than one and one half inch branches.

**1650. Trap prohibited—where.]** There shall be no traps at the foot of soil or waste pipes, nor shall there be any trap upon the house drain or house sewer.

This section shall not prohibit the use of traps at the foot of rain water leaders or upon drains or sewers used exclusively for conducting rain water to a public sewer.

**1651. Trap revents—concealed partitions.]** Every water closet, urinal, sink, basin, bath, and every laundry tub or set of laundry tubs, or any other plumbing fixture shall be effectively and separately trapped and revented, except as hereinafter provided for anti-siphon traps.

All traps shall be protected from siphonage by special vent or revent pipes, except where anti-siphon traps are permitted. Such revented trap shall not depend upon any concealed partition for its water seal.

**1652. Connected wastes.]** A connected waste pipe receiving the discharge of not more than two basins, set in line, may waste into a single trap, which shall not be more than two feet from the waste outlet of one of the fixtures.

**1653. Floor washes—bell traps prohibited—back water valve.]** When floor washes are connected it shall be by means of a deep seal trap. Bell traps and traps having covers, over hand holes on the sewer side of the trap, held in place by lugs or bolts, are prohibited. Covered floor washes are prohibited. Where a floor wash is placed in the basement it shall be protected from back sewage by means of some suitable and approved back water valve.

**1654. Bath tub drum trap—revent.]** Each bath tub shall be provided with a drum trap. Traps on bath tubs shall be placed in such a manner that the cleanout will be in plain view and above the floor.



The drum trap shall be revented through either a "TY," a "Y," or a drainage fitting.

**1655. Traps—placing of—water seal.]** Traps shall be placed as near to the fixtures as possible, and in no case shall a trap be more than two feet from the waste outlet of its fixture.

All traps shall have at least a one and one half inch water seal and they shall be set true with respect to their water level.

**1656. Waste to closet bend, etc., prohibited.]** In no case shall a waste pipe from any fixture be connected with any water closet trap or bend, vent or revent connection for same.

**1657. Water closet revent—size.]** Water closets when placed within buildings shall have two inch revents for each water closet trap, except as hereinafter provided.

**1658. Size of vents depends on stories.]** The main vent pipe for traps of water closets or for traps of other fixtures, in buildings four stories or under, shall be at least two inches in diameter and have two inch revents, except that revents may be the same size as waste traps. In buildings more than four stories high and not more than six stories high the main vent pipe shall be at least two and one half inches in diameter. In buildings more than six stories high the main vent pipe shall be at least three inches in diameter.

**1659. Vents—size of for twelve fixtures.]** Where more than twelve closets are installed on any floor the vent pipe for the same shall be at least three inches in diameter with two inch revents for traps.

For purposes of reventing, any four fixtures other than water closets (where the same are placed on one floor) shall be taken as equal to one water closet. This is to apply where water closets are revented through the same vent pipe.

**1660. Vents in residences.]** Vent pipes for water closets in residences shall be two inches in diameter with same size branches, and for other fixtures not less than one and one half inches in diameter with branches the same size as waste and trap; except that the vent pipe for a kitchen sink shall be two inches in diameter.

**1661. Size of waste pipes.]** Where fixtures other than water closets are installed in a building more than four stories and basement or cellar high, having no soil pipe from ground in building to and through roof, and where the total number of fixtures wasting into one pipe exceeds six, the same shall waste into at least a two and one half inch pipe, which shall be carried through the roof; except that where a battery of urinals and no water closets are installed in any building (where a three inch waste pipe is required) the same shall be carried at least three inches in diameter from the ground in the building up and through the roof.

**1662. In buildings under four stories.]** In buildings of four stor-

ies and under, where no water closet is installed and where no sewer connected soil pipe is carried from ground in building to roof, the fixtures if six or more in number shall waste into a pipe at least two and one half inches in diameter, which shall be carried through the roof.

Where a smaller number of fixtures is installed the main waste pipe shall be two inches in diameter and carried through the roof, except that where a battery of urinals having a three inch waste pipe is installed the waste pipe shall be carried at least three inches in diameter from the ground in the building up and through the roof.

**1663. Vents reconnected.]** All vents shall be either run separately through the roof or be reconnected to an increaser twelve inches below the roof or may be reconnected to the soil vent or main vent pipe, not less than three feet above the highest floor on which fixtures are placed; Provided, that no fixture or fixtures shall be placed on any floor or floors above and connected to the soil, waste, vent or revent pipes from the fixtures on floors below; nor shall any fitting or fittings for future connections be placed in any soil or waste pipe above the point of revent connection. Where fixtures are afterwards installed on other floors the vent and revent pipes of the fixtures already installed shall be rearranged to conform to the provisions of this chapter. Reconnections will not be permitted where said vent pipes run through more than five floors.

**1664. Length of horizontal vent.]** The vent pipe from any fixture or fixtures reconnected as hereinbefore provided shall not span a horizontal distance to exceed twelve feet in length.

**1665. Vent pipe increased.]** Where a vent pipe is carried independently through the roof it shall be increased as provided for in preceding sections.

**1666. Prohibited use for revent.]** No trap, revent, or vent shall be used as a waste or soil pipe.

**1667. Revents for adjoining fixtures.]** Where bath rooms are located on opposite sides of a wall and directly opposite each other and on the same floor in any building and have a common soil or waste pipe, in the same separating wall, the revents from fixtures in either or both of such bath rooms may connect into the same vent pipe.

Where two water closets or other plumbing fixtures waste into a double "Y" or double "TY" fitting a single two inch revent connected at or near the junction of the two waste lines forming a part of the fitting will be permitted.

**1668. Safe wastes.]** All lead or other safes where necessary under fixtures shall be drained by a special pipe, the same to discharge into an open water supplied sink or into a deep seal trap, and in no case shall the safe be connected with any waste, soil, or drain

pipe or sewer. The ends of safe waste pipes shall be covered by flap valves.

**1669. Overflow pipes.]** Overflow pipes from fixtures shall be in each case connected on the inlet side of the trap.

**1670. Refrigerator wastes—sizes—traps.]** The waste pipe from a refrigerator or ice box shall not be directly connected with any soil, rain, or waste pipe or with the drain or sewer, or discharge upon the ground. It shall discharge into an open water supplied sink or over a deep sealed trap and shall be as short as possible and disconnected from the refrigerator or ice box by at least four inches; and where refrigerators or ice boxes are placed in buildings and upon two or more floors the waste and vent pipe thereof shall be continuous and shall run through the roof, and in no case shall it open within six feet of an open soil or vent pipe.

The size of a waste pipe for refrigerators for two floors or less shall be at least one and one half inches and two inches for three floors and over and under five floors, and two and one half inches for five floors and over. Each refrigerator or ice box shall be provided with a suitable trap with an accessible trap screw or cleanout. Such trap shall be placed in the one and one half inch waste pipe and shall be near the refrigerator or ice box. Such traps need not be separately vented.

**1671. House boilers.]** The sediment pipe from house boilers shall not be connected into the sewer side of any trap nor directly connected into any soil, waste pipe, or drain.

**1672. Flush tanks—purity of water.]** All water closets and urinals within any building shall be supplied from special tanks or approved automatically flushing valves having flush pipes at least one and one quarter inches in diameter. The water from such tanks or cisterns shall not be used for any other purpose. The purity of such water and of water used in all other plumbing fixtures shall be equal to the purity of the water supplied through the Chicago water works system.

**1673. Automatic flush tanks.]** Flush tanks for urinals shall be arranged for intermittent and automatic discharges. All urinals shall be flushed at regular intervals not to exceed seven minutes each.

**1674. Cisterns for water closets—house tanks.]** Where cisterns are used for water closets they shall each have a siphon discharge. The valves of such cisterns shall be fitted and adjusted so as to prevent a waste of water. When the city pressure is not sufficient to supply such cisterns or plumbing fixtures with water adequate pumps or house tanks shall be provided.

**1675. Water closets.]** All water closets shall have flushing rim bowls.

**1676. Water closet flushing.]** Water closets and urinals shall not

be supplied from any water supply pipes direct. In a cellar or unfinished basement of a building already constructed and where there is danger from frost sanitary long hopper closets may be installed if they are provided with individual frost proof flush tanks of approved types.

All closets shall be fitted with either siphon discharge flush or pressure tanks or approved automatically flushing valves not directly connected to the city water supply pipes.

All individual closets at each flush shall receive not less than four gallons of water into the closet bowl at each discharge, which shall be discharged in such time and with such force as shall thoroughly cleanse the closet bowl at each flush.

**1677. Long hopper closets—where not to be installed.]** Long hopper closets shall not be installed in the cellar or basement or in any part of any building hereafter constructed.

**1678. Outside water closets—where.]** A water closet shall not be installed on a porch or other like place. Outside water closets may be installed for buildings heretofore erected only.

**1679. Proximity to buildings.]** Water closets when placed in the yard of any building heretofore erected shall be separately trapped and placed not less than eight feet from any dwelling or other place of abode and so arranged as to be conveniently and adequately flushed, and their water supply pipes and traps shall be protected from freezing. The compartments for such water closets shall be adequately lighted and ventilated.

**1680. Water closets under sidewalks.]** Where water closets or other plumbing fixtures are placed under a sidewalk, street, alley, or other like place, adjoining and opening into the basement of any building, each and every fixture so placed shall be ventilated in the same manner as provided for other plumbing fixtures in this chapter, and the water closet compartments shall be adequately lighted and ventilated. In all other places where plumbing fixtures are placed in compartments under sidewalks, streets, alleys, or other like places, and where the compartments are separated by an open space between the adjoining building and the sidewalk, the vent pipes may be omitted; Provided, that a soil or waste pipe not less than four inches in diameter shall be connected to the main sewer and extended through the roof of the adjoining building.

**1681. Separate water closets—number of—where placed.]** In all places of employment where men and women are employed, separate and sufficient water closets shall be provided for males and females. Water closets for men shall be plainly marked "Men's Toilet" and water closets for women shall be plainly marked "Women's Toilet."

In all places of employment one water closet shall be provided for every twenty-five males or less number, and one water closet shall be

provided for every twenty females or less number. Such water closet facilities shall be furnished upon at least every second floor. Where there are employes in any basement such basement shall be considered as one floor.

**1682. Water closets in lodging houses.]** In lodging houses and hotels hereafter erected or altered there shall be provided one water closet for every twenty-five males or less number and one water closet for every twenty females or less number. The number of water closets required shall be determined from the number of lodging quarters provided. There shall be at least one closet on each floor. The general water closet accommodations of a lodging house shall not be placed in the basement.

**1683. Separate closets for business and residences.]** In all buildings used jointly for residence and business purposes, separate and sufficient water closets shall be provided for the use of families and for the use of employes and patrons of the place.

**1684. Toilet paper.]** No paper other than what is commonly known as toilet paper shall be placed in any water closet or allowed to enter any soil pipe.

**1685. House tanks, lining—overflow.]** Tanks in which water to be used for drinking or other domestic purposes is stored shall not be lined with zinc or lead.

The overflow pipes from such tanks shall discharge upon the roof or be trapped and discharged into an open sink. Such overflow pipes shall not be connected into any soil waste pipe or other sewer connected pipe; nor shall the drain or sediment pipe be connected into any soil, waste pipe, or other pipe directly connected with a sewer.

**1686. Rain water leaders, trapped when.]** Rain water pipes or leaders shall not be used as soil, waste, or vent pipes; nor shall any soil, waste, or vent pipe be used for a rain water pipe or leader. Where a rain water leader opens near any window, door, or vent shaft, or is so located as to render it likely to become a nuisance, if not trapped it shall be properly trapped far enough below the surface to prevent its becoming a nuisance or freezing.

Inside rain water leaders shall be made of extra heavy cast iron or tar or asphaltum coated wrought iron pipe or galvanized wrought iron pipe, with roof connections, made gas and water tight by means of heavy lead or copper drawn tubing, wiped or soldered to a brass ferrule, calked or screwed into the pipe. Outside rain water leaders may be of sheet metal but they shall connect with the house drain by means of a five foot length of cast iron pipe extending vertically at least four feet above the grade level.

**1687. Steam pipe—blowoff basins—vent, etc.]** No steam, exhaust, blowoff, drip, or return pipe from any steam trap shall connect with the sewer or with any house drain, soil, waste pipe, or rain water

pipe. The water or steam of condensation from such pipes before it shall enter any sewer or drain shall be discharged into a suitable cast iron catchbasin or condenser, from which a special vent pipe not less than two inches in diameter shall extend through the roof.

**1688. Blowoff pipes—kind, etc.]** Blowoff pipes from boiler or heating plants shall be either of extra heavy cast iron pipe or galvanized wrought iron pipe. No such blowoff or hot water pipe shall discharge directly or indirectly into any vitrified earthenware tile sewer within any building.

**1689. Temperature of water into sewer.]** No water of a higher temperature than one hundred and twenty degrees Fahrenheit shall be permitted to enter any house sewer direct.

**1690. Area drains—traps—backwater valves.]** When the area drains are connected to the house sewer or drain they shall be effectively trapped. Such traps shall be protected from frost.

**1691. Cellar drainer—ground water.]** Cellars and basements shall be kept free from ground or surface water, and where the same are too low to be drained into the sewer the water therefrom shall be lifted by a cellar drainer or other device, approved by the chief sanitary inspector, and discharged into the sewer.

**1692. Floor washes in basements—indicated protection.]** Floor washes for basements shall be provided with a deep seal trap, having a heavy strainer, and a backwater gate valve, or stop, accessible for cleaning.

No backwater valve shall be used which has not been approved by the chief sanitary inspector.

All building plans, where basement floor washes are connected, shall indicate where and what backwater valve or device is to be used.

**1693. Sumps—tight cover.]** Sumps or rodding basins for subsoil drains shall be provided with tight cast iron covers.

**1694. Prohibited sinks and tubs.]** The installation of stationary wooden sinks and wooden laundry tubs is prohibited inside of any building used for human habitation. Such sinks and tubs shall be of non-absorbent material.

**1695. Catchbasins prohibited—when.]** No catchbasin or gravel basin shall be allowed within any building, except as provided for in the following sections:

**1696. Kitchen wastes to catchbasin.]** Kitchen or other greasy wastes shall be intercepted by a catchbasin or grease trap and thence conducted to the house sewer.

The vitrified tile sewer through which kitchen wastes are conducted shall be at least six inches in internal diameter.

**1697. Catchbasins, construction of.]** Catchbasins for receiving such wastes shall be constructed either of brick, concrete, or cast iron.

If of brick or concrete they shall be at least thirty inches internal diameter at the base and may taper to not less than twenty-two inches internal diameter at the top and be finished with a stone or iron cover at grade level.

The walls of such catchbasins shall be (if of brick) eight inches thick and laid in portland cement mortar and plastered outside and inside with a half inch coat of portland cement mortar in proportion of one part of portland cement and two parts of clean, sharp sand.

The bottom shall be at least eight inches thick and of either brick laid in cement mortar or of portland cement concrete. The brick used shall be hard burned sewer brick.

Where portland cement concrete is used the walls shall be at least six inches thick and the concrete shall be made of one part of live portland cement three parts of clean, sharp sand and five parts of crushed stone free from dust and of sizes between one fourth inch and one and one half inches in largest diameter; and in addition the catchbasins shall be plastered inside and out as specified above for brick construction. Catchbasins shall be made water tight. No retempered cement shall be used.

The bottom of catchbasins shall be at least two feet below the invert of the outlet to the sewer.

The outlet shall be trapped to a depth of six inches below the invert of the outlet to the sewer, to prevent the escape of grease, by a hood or trap of brick and cement mortar, a hood of concrete or cast iron.

The invert of the inlet to the catchbasin, for kitchen wastes, shall be not less than two and one half feet above the finished bottom of the catchbasin.

**1698. Catchbasin dispensed with—grease trap.]** Where the building covers the entire lot the catchbasin for kitchen wastes may be dispensed with, provided that a suitable sized grease trap of approved construction is installed and provided with a water jacket through which shall circulate the water that is drawn for the general kitchen use. Such grease traps shall at all times be accessible for cleaning.

**1699. Defective catchbasins—rain conductor connection.]** Rain water leaders may connect to catchbasins. Such leaders shall connect to a catchbasin when they conduct water from a gravel roof.

Defective and leaching catchbasins shall be rebuilt according to the above specifications.

**1700. Number of urinals in factories.]** In all places of employment one urinal shall be provided for every seventy-five males or less number.

**1701. Construction—prohibited use.]** The sides, back, and base of every urinal stall placed within any building shall be of non-absorbent material. Urinal stalls having troughs set in the floors are

prohibited. The top of the urinal base shall be set one and one half inches above the finished floor level. Urinal troughs and sectional urinals, unless lipped and provided with suitable automatic flush tanks or approved intermittent and automatic flushing valves are prohibited. No sectional urinals shall be placed within a building or compartment which is subject to vibrations.

**1702. Urinal flush—prohibited materials.]** Every urinal stall shall have an individual lipped sanitary urinal bowl.

The use of cast iron, galvanized iron, sheet metal or steel urinal bowls and troughs is prohibited. Each urinal bowl shall be separately and independently trapped and shall have a waste pipe of at least two inches in diameter.

**1703. Automatic flushing of urinals.]** Each and every urinal trough and urinal bowl shall be intermittently and automatically flushed with at least a one gallon water flush for each urinal bowl or two foot length of urinal trough and at intervals not to exceed seven minutes each during its period of use.

The flushing of all such urinal fixtures shall be by means of either approved intermittently and automatically operated flush tanks or by intermittently and automatically operated flushing valves protected against a vacuum by a ground seat check valve.

**1704. Urinal wastes—prohibited screens.]** The waste pipe of a "battery" of not exceeding four urinals shall not be less than two inches in diameter. For batteries exceeding this number the waste pipe shall be at least three inches in diameter.

No wire or metal screen shall be placed in any urinal bowl, unless every part of such screen is thorough washed at each water flush.

**1705. Revent omitted, when.]** Where a single water closet or other plumbing fixture is located in a building or on the top floor of any building and there is an adequate soil or waste pipe of undiminished size from ground (in building) to roof, the revent pipe may be dispensed with; Provided, that a non-siphoning trap tested and approved by the chief sanitary inspector, or a closet of approved construction, is used for such work; and provided, further, that the trap of such fixture is located not more than five feet from such soil or waste pipe.

**1706. Revent omitted, when.]** Where a toilet or bath room having not more than one closet and three other fixtures therein, is located on one floor only or the top floor of any building, and such closet is set not more than five feet from the vertical soil pipe, the revent for the closet may be omitted; Provided, that a closet of an approved construction is installed.

**1707. Vent pipes reconnected—exception.]** Vent pipes shall be reconnected to main soil and waste pipes or drain by a "Y" branch below the lowest fixture, and in such a manner as to prevent accumu-



lation of rust. This shall not apply where there is a battery of fixtures on one floor only and no other fixtures on floors above or below.

**1708. Open plumbing.]** All plumbing fixtures shall be installed as open plumbing.

**1709. Prohibited closets—removal.]** Pan, plunger, offset, wash-out-range closets and washout latrines shall not be allowed in any building; nor shall hopper closets be installed in any building hereafter erected. Such closets when found to be a nuisance shall be removed, or when the same are removed for repairs they shall not be again installed. In alteration work pan and plunger closets shall be removed.

Range closets of types approved by the commissioner of health and the chief sanitary inspector may be installed in factories and workshops only, and such closets shall be installed in separate compartments as hereinbefore provided for water closet compartments.

**1710. Reventing washout closets.]** Where individual washout closets are installed they shall be revented above the floor line. Rubber connections or connections of like material shall not be used on any sewer connected pipe.

**1711. Prohibited fixtures not reinstalled.]** No fixture shall be installed and no fixture shall be reconnected or reinstalled where it does not meet the requirements of this chapter.

**1712. Earthenware trap connections—how made.]** All earthenware traps shall have heavy brass floor plates, not less than one fourth of an inch in thickness, soldered to the lead bend, or, where brass or iron pipes are used, screwed to the same and bolted to the trap flange, and the joints between the flange and traps shall be made gas tight without the use of putty, plaster, cement, rubber or leather washers. The use of putty, plaster, cement, rubber or leather washers in the making of such connections is hereby prohibited.

**1713. Slip joints—ground joints.]** Slip joints shall not be permitted on the sewer side of any trap unless a metal connection is required between soil or waste pipes and tile sewers.

Unions on wrought iron pipe shall be made by means of metallic brass seated ground unions and made without gaskets or packing.

**1714. Barn drainage—traps—catchbasins.]** Floor washouts, urinal gutters, and wash racks in barns or stables shall be provided with deep seal traps, having heavy strainers. Such traps shall have a depth of seal of at least three inches and shall be located at the floor line. An adequate water supply shall be provided for flushing such gutters.

All liquid wastes from barns or stables shall be intercepted before entering the sewer by a catchbasin placed outside of the building, which shall be either the catchbasin which is constructed according to

the specifications for such catchbasins or a cast iron catchbasin provided with bolted air tight iron cover. Barn drains and wastes shall be ventilated by sufficient and proper vents through the roof.

**1715. Special permits—when issued.]** Special permits will be issued by the chief sanitary inspector only.

Where special permits are issued the location shall be inspected before the work is started and duplicate plans in ink, in the name of the owner, agent, or architect, shall be submitted and approved and placed on file. These plans shall show the proposed work, in plan and elevation. Such plans shall be drawn on paper or cloth and drawn to a quarter inch to the foot scale.

The installation of any sewer connected fixture or of any sewer connected pipe or pipes other than those hereinbefore mentioned, or under any other conditions than those hereinbefore set forth, shall be as directed by the chief sanitary inspector and the same shall be covered by special permits issued by him.

**1716. Plumber's notification—inspection, when.]** When the plumbing in any building is ready for inspection the plumber in charge of the work shall immediately notify the commissioner of health in writing of such fact at least twenty-four hours in advance of inspection. Inspections will not be made the same day that notifications are received.

**1717. Inspection of repairs.]** The following repairs and extensions to any part of the plumbing or drainage system within any building shall also be reported for inspection, viz.: where there is any change in any sewer connected pipe and where such change is on the sewer side of the trap.

**1718. Inspections—tests.]** The entire plumbing and drainage system when roughed in, in any building, shall be tested by the plumber in the presence of the plumbing inspector and as directed by him, under either a water pressure or air pressure.

The water pressure test shall be applied by closing the lower end of the main house drain and filling the pipes to the highest opening above the roof with water, except that a part of the system may be tested separately, provided that there shall be a head of water of at least ten feet above all parts of the work so tested. The air pressure test shall be applied with a force pump and mercury column equal to ten inches of mercury. The use of spring gauges is prohibited. Special provision shall be made to include all joints and connections to the finished line or face of floors or side walls, so that all vents and revents, including lead work, may be tested with the main stacks. All pipes shall remain uncovered in every part until they have successfully passed the test. After the completion of the work, and when fixtures are installed, either a smoke test under a pressure of one inch water column shall be made of the system, in-

cluding all vent and revent pipes, in the presence of the plumbing inspector and as directed by him, or a peppermint test made by using five fluid ounces of oil of peppermint for each line up to five stories and basement in height, and for each additional five stories or fraction thereof one additional ounce of peppermint shall be provided for each line.

All defective pipes and fittings or fixtures shall be removed and all defective work shall be made good and so as to conform to the provisions of this chapter.

**1719. Water closet and urinal compartment—ventilation.]** Water closets and urinals shall not be installed in an unventilated room or compartment. In every case the room or compartment shall be open to the outer air or be ventilated by means of an air duct or shaft or be mechanically ventilated.

In the case of an extension or alteration of any existing plumbing system, the same, if new stacks are run, shall be tested when roughed in and when completed as hereinbefore provided.

**1720. Peppermint test for alterations.]** In other alteration work a peppermint test and only this test shall be applied by using five fluid ounces of oil of peppermint for each line up to five stories and basement in height, and for each additional five stories or fraction thereof one additional ounce of peppermint shall be provided for each line.

**1721. Old work remodeled.]** In remodeling work the existing system of soil, waste, and ventilating pipes shall be changed to make them reasonably conform to the provisions of this chapter.

Where a urinal, bath, or water closet compartment is mechanically ventilated the air shall be changed at least four times per hour by exhausting the air from the compartment.

**1722. Light and ventilation.]** All urinals, bath, or water closet compartments hereafter constructed in any building shall be lighted and ventilated as hereinafter provided for. Every water closet or urinal compartment or bath room in every now existing building and every compartment in buildings hereafter erected, where the compartment is more than one story under ground, shall be separately ventilated by a window opening to the external air or by proper and adequate ventilating pipes, shafts, or ducts running through the roof, or to the external air, and providing for at least four changes of air for the entire compartment each hour. All such compartments shall be adequately lighted by either natural or artificial light.

**1723. Toilet compartments—separate.]** The urinal, bath, or water closet compartments shall be separate compartments and shall be entirely separated from any other room, workshop, office, or hall, by a tight partition extending from floor to ceiling, and every door

of every such compartment shall be provided with a door check to keep such door closed.

No window or other opening shall be made to open from any such compartment for the purpose of ventilation, into any adjoining room, office, workshop, factory, hallway, or compartment of any kind.

1724. Window area in toilet compartments.] In every building hereafter constructed every such compartment, where there is not more than one story under ground, shall have a window not less than one foot wide and of an area of at least four square feet for a floor area of forty-five square feet or less, opening directly into the outer air, or special light and air shaft, into which no other rooms or compartments, other than toilet compartments, are ventilated. For upwards of forty-five square feet of floor area there shall be a window area of at least one tenth of the floor area. The windows in all cases are to be arranged so as to admit their being opened at least one half their height. The urinal, bath, or water closet compartments on the top floor of any building may be lighted and ventilated by means of a skylight and ventilator. The area of the skylight shall conform to the above specified areas for windows.

1725. Keep clean.] All such fixtures in such compartments as are referred to in the previous section shall be kept in a thoroughly clean and sanitary condition.

1726. Ventilation into court.] Nothing herein contained shall be construed as preventing the ventilation of the above mentioned compartments into an outer, inner, or lot line court.

1727. Plans—plan and elevation, etc.] Building plans in duplicate shall be filed with the bureau of sanitary inspection before the original plans are approved. Such duplicates shall be on paper or cloth and drawn to a standard scale, showing how all rooms and compartments of the building are to be lighted and ventilated. They shall also show in plans and in at least one elevation all drains, soil, waste, vent, and revent pipes within the building and the location of all plumbing fixtures within the building, the location of the catch-basin (in case one is necessary) outside of the building, and its connection to the drainage and sewerage system.

1728. Fee before plans are approved.] Before plans are approved the following fees for inspection shall be paid to the city collector:

When the building contains from one to six plumbing fixtures the sum of fifty cents shall be paid for each fixture, and for each and every additional fixture thereafter installed the sum of twenty-five cents shall be the fee for inspection.

1729. Certificate of inspection.] When the plumbing in a building is completed the plumber or his representative shall secure for the owner of such building from the commissioner of health a certificate of inspection, signed by the chief sanitary inspector and ap-

proved by the commissioner of health, certifying that the plumbing work has been properly inspected and tested as required by the provisions of this chapter.

**1730. Penalty.]** Any person or corporation who shall violate any of the provisions of this chapter shall be fined not more than two hundred dollars nor less than twenty-five dollars for each offense; and each day on which such violation shall be allowed or suffered to continue shall constitute a separate and distinct offense.

## CHAPTER XLIX.

### POLICE.

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#### ARTICLE I.

##### GENERAL SUPERINTENDENT OF POLICE.

**1731. Department established.]** There is hereby established an executive department of the municipal government of the city, which shall be known as the department of police, and shall embrace the general superintendent of police, an assistant general superintendent of police, a secretary of the department of police, a private secretary to said general superintendent, one inspector of police for each police division, one captain of police for each police district, and such number of lieutenants, detective sergeants, patrol sergeants, desk sergeants, patrolmen and other employes as may be provided by ordinance.

**1732. General superintendent — office created — appointment.]** There is hereby created the office of general superintendent of police. He shall be appointed by the mayor, by and with the advice and consent of the city council.

**1733. Bond.]** He shall, before entering upon the duties of his office, execute a bond to the city in the sum of twenty-five thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**1734. Management of department—appointment of members.]** The general superintendent shall have the management and control of all matters relating to the department, its officers and members; he shall appoint according to law all officers and members of said department.

**1735. Removal of members.]** Said general superintendent shall have power to remove from the police department any member thereof, in the manner provided by law.

**1736. Custody of property.]** Said general superintendent shall have the custody of all fire arms, military equipments, books and records and other property belonging to said department.

**1737. Duty to preserve peace, etc.]** He shall devote his whole time to the municipal affairs of the city, to preserve the peace, order,

safety and cleanliness thereof, and to this end he shall execute and enforce all ordinances and orders of the city council, and the orders of the mayor.

**1738. Duty to protect persons and property.]** He shall be charged with the duty of protecting the rights of persons and property, providing a proper police force at every fire, protecting strangers and travelers at steamboat landings and railway stations, and causing to be enforced all ordinances of the city.

**1739. Duty to abate nuisances, etc.]** He shall take notice of all nuisances, impediments, obstructions and defects in the streets, avenues, alleys and public places of the city, and shall remove the same, or cause immediate notice thereof to be given to the proper officer whose duty it may be to take measures in relation thereto, according to the ordinances of the city.

**1740. Divisions, districts, etc.—rules and regulations.]** Said general superintendent shall, from time to time, divide the city into police divisions, districts, and precincts, and assign inspectors, captains and lieutenants of police respectively to such divisions, districts and precincts and he may establish a station or sub-station in any precinct for the accommodation of the police force on duty therein. All regulations and orders of the department of police shall be promulgated through the general superintendent.

**1741. Rules and regulations—penalties.]** All subordinate officers and members of said department shall be subject to such rules and regulations as shall be prescribed from time to time by said general superintendent. A reasonable forfeiture of pay may be imposed by him under such rules and regulations for any neglect of duty or misconduct on the part of any member of said department.

**1742. Special patrolmen.]** The general superintendent may, in times of peril, danger, riot, or pestilence, or apprehension thereof, or with the written consent of the mayor, during any public election or celebration, appoint for a specified time as many special patrolmen from among the citizens of Chicago as he may deem necessary, and during the term of service such special patrolmen shall possess all the powers and privileges and perform all the duties of patrolmen of the standing police force of the city.

**1743. City employes—special policemen.]** He may appoint persons of suitable character, who may be in the employment of the city in other branches of the city government, as special policemen; but such persons so appointed shall receive no additional pay for their services as such special policemen. Such policemen shall possess the same powers as the regular police patrolmen, and shall be subject to all the rules and regulations governing the police force.

**1744. Special patrolmen for special duty.]** He shall have power, on the application of any person or persons showing the necessity

therefor, to appoint and swear in any additional number of special patrolmen to do special duty at any fixed place within the city, at the charge and expense of the person or persons by whom the application is made, and shall keep a correct list of all persons so appointed. He shall issue a special certificate of appointment to each of said special patrolmen and shall, upon receiving a deposit sufficient to cover the cost thereof, provide them with suitable badges which shall be worn by them while on duty, and be returned to said general superintendent upon the termination of their appointment.

**1745. Duties and powers of.]** Persons so appointed shall conform to and be subject to all rules and regulations governing the police force of the city, and to such special rules and regulations as the general superintendent may make concerning such police patrolmen. They shall possess all the powers, privileges and duties of the regular police patrolmen, at the places for which they are respectively appointed, and may be removed or discharged from service at any time by the superintendent, without assigning any cause therefor.

**1746. Custodian of lost or stolen property.]** The general superintendent of police shall appoint according to law a person to act as custodian of all property seized or taken by the police. The person so appointed shall be designated and known as the "custodian of lost or stolen property."

It shall be the duty of such custodian to keep a record of all property which may be seized or otherwise taken possession of by the police department of the city; and if such property so seized or taken possession of shall not be claimed by the rightful owner thereof and possession surrendered to such owner, within sixty days from the date of such seizure or taking possession by the department of police, said custodian shall publish or cause to be published in the official newspaper of the city a description of such property together with the date of the seizure or the taking possession thereof and shall give notice that if such property be not claimed by the rightful owner or owners thereof within ten days from the date of such publication such property will be sold at public auction, at such place and in such manner as the superintendent of police shall prescribe. In addition to the publication of notice herein provided for said custodian shall post or cause to be posted in at least three public places in the city where public notices are commonly or usually posted a copy of the notice published in said official newspaper and shall make a record of the date when such publication and the posting of notices is made, and if within ten days from the date of such publication and posting no claim for such property described in such notices shall have been made by the rightful owner thereof the custodian shall proceed to sell such property at public auction. The proceeds of any sale or sales so made, after deducting the cost of storage, ad-



vertising, selling, etc., shall be paid by said custodian to the police pension board, to be credited to the police pension fund of the city: Provided, that if any property so seized or taken possession of by the police department shall be of a perishable nature or so bulky or of such a nature as to make it dangerous or inadvisable to retain possession thereof for the length of time hereinabove specified said custodian upon certifying such fact to the general superintendent of police, setting forth his reasons why such property should not be retained for the period hereinabove fixed before selling same, may with the approval of said superintendent cause such property to be forthwith advertised in the official newspaper of the city and sell such property at public auction at any time after three days shall have elapsed from the seizure or taking possession thereof; and provided, further, that nothing in this section contained shall be held to require said custodian to take possession of or to make disposition of any lost or stolen property the disposition or possession of which is otherwise provided for in and by this ordinance, such as animals required to be impounded, etc.

**1747. Bond of custodian.]** The general superintendent of police shall require the custodian of lost or stolen property to give a bond in the sum of twenty thousand dollars. Said bond shall have sureties to be approved by the mayor and be conditioned for the faithful observance and performance of the duties of his office.

**1748. Uniforms and badges.]** Said general superintendent shall have power and authority to prescribe an appropriate uniform and badge to be worn by the officers and men of the department, either regular or special, and shall make suitable regulations as to the wearing of the same, by which at all times the authority and relations of such officers and men in said department may be known, as the exigency of their duties may require.

**1749. Trial and discipline of officers, etc.]** The general superintendent of police shall hear and determine all cases not under the jurisdiction of any trial board authorized by law, for the violation of any rule, regulation or order of said department, or other breach of discipline, and shall have power to punish the offending party by reprimand, or forfeiture of pay for a specified time, or dismissal from the force.

**1750. Suspension pending charges.]** When charges are preferred against any police officer or patrolman, the general superintendent may suspend from duty any such officer or patrolman until such charges are disposed of.

**1751. Records of department.]** The general superintendent shall cause to be kept books of record of the police force; of persons arrested for offenses; of time lost by patrolmen; of accounts of moneys received and expended, and for what purposes expended; of suspected

persons and places, and of all property placed in his charge; and such other books and records as shall be required by the business of the department.

**1752. Annual estimate.]** The general superintendent shall prepare and submit to the comptroller, on or before the first day of February of each year, an estimate of the whole cost and expense of providing for and maintaining the department of police of the city during the current fiscal year, which estimate shall be in detail, and shall be laid by the comptroller, with his (the comptroller's) views thereon, before the city council, at the same time with the comptroller's annual estimate.

**1753. Annual report.]** The general superintendent shall make annual reports to the city council, in writing, on or before the first day of May in each year, of the state of the police force, with such statistics and suggestions as he may deem advisable for the improvement of the police force, its discipline and government. He shall make like reports to the mayor and comptroller whenever requested.

**1754. Enforcement of department orders.]** It shall be the duty of the general superintendent of police to cause to be executed all orders of the commissioner of health, so far as they may relate to the preservation of the health of the city. He shall also execute all orders of the commissioner of public works for the protection of the streets, alleys, sidewalks, bridges and viaducts of the city; and shall, upon such order, arrest any and all persons, not in the employ of the city, who may be found obstructing or interfering with the same without a written permit from said commissioner.

**1755. National bureau of identification.]** The general superintendent of police is hereby authorized and directed to enroll the department of police of the city of Chicago as a member of the organization known as the "National Bureau of Identification."

**1756. Merit roll—firemen and policemen.]** It shall be the duty of the general superintendent of police and of the fire marshal respectively to cause a record to be kept, to be known as the "merit roll" upon which shall be entered the names of all the members of their respective departments who shall have performed any distinguished act of bravery in the protection of life or property. Such record shall specify the details and circumstances of such acts, and there shall also be given the names of witnesses, if any, and all facts corroborating the circumstances of the report. Such record shall annually, on December 31st of each year, be laid before the mayor, comptroller, and city treasurer, *ex officio*, the trustees of the "Harrison" medal fund and the "Tree" medal fund, and upon the awards being made, the members of the respective departments who shall be awarded the "Tree" medal and the "Harrison" medal shall be notified to appear before the trustees to receive the medals awarded them.

**1757. Rules and regulations.]** The general superintendent shall furnish each member of the police department with a copy of the rules and regulations prescribed by him for the government of the department.

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## ARTICLE II.

### SECRETARY OF THE DEPARTMENT.

**1758. Secretary's duty.]** There shall be in the office of the department of police a person to be denominated secretary of the department of police, whose duty it shall be to preserve and keep all books and papers belonging to said department, or which are required by law to be filed therein. He shall deliver to the city council, and to the respective departments, all communications in writing from the said general superintendent, and shall attend in the office of said department during the usual office hours, and do and perform such other services as may be required by said general superintendent, or the ordinances of the city.

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## ARTICLE III.

### DEPARTMENT OF POLICE.

**1759. Furloughs.]** Whenever the funds appropriated for the maintenance of the police department are sufficient to permit the members thereof being given furloughs with full pay, each and every member of the department of police, including patrol wagon drivers, police station matrons and police operators shall be entitled to a leave of absence from duty for ten consecutive days each year with full pay. In every case the general superintendent of police shall designate when such leave of absence shall be taken.

**1760. Police duties—power of arrest.]** The several members of the police force of the city when on duty shall devote their time and attention to the discharge of the duties of their stations according to the laws and ordinances of the city and the rules and regulations of the department to preserve order, peace and quiet and enforce the laws and ordinances throughout the city. They shall have power to arrest all persons in the city found in the act of violating any law or ordinance or aiding and abetting in any such violation, and shall arrest any person found under circumstances which would warrant a reasonable man in believing that such person had committed or is about to commit a crime.

**1761. Service of process.]** They shall have power and authority, and it shall be their duty, in the city, to serve and execute warrants and other process for the summoning, apprehension and commitment of any person charged with a violation of any city ordinance, or any crime, or misdemeanor, or offense against the laws of the city or state.

**1762. Police to aid firemen.]** It shall be the duty of members of the department of police to aid the fire department by giving alarms in case of fire, and in clearing the streets or grounds in the immediate vicinity of the fire, so that the members of the fire department shall not be hindered or obstructed in the performance of their duties.

**1763. Property seized—delivery and report.]** It shall be the duty of every member of the police department to report to his superior officer, all property seized or found by him immediately after the same shall have come into his possession, and such superior officer shall report the same to the general superintendent. Such property, with the date of delivery and description thereof and the name of the policeman depositing the same, shall be entered in a book kept for that purpose, by the custodian having the custody of such property, who shall be held responsible therefor.

**1764. Excavations in streets.]** It shall be the duty of every policeman, on observing or being informed of the opening of, or excavating in, any street or avenue to require the person making such opening or excavation to exhibit the authority or permission therefor; and, if none has been given by the proper officer, or if the exhibition thereof be refused, such policeman shall without delay report the same to the commissioner of public works.

**1765. Badge.]** Every member of the department of police shall wear a suitable badge to be furnished by the city, and any member who shall lose or destroy the same shall be required to pay the cost of replacing it, and whenever any member shall leave the department, he shall immediately deliver his badge to the general superintendent.

**1766. Misconduct—penalty.]** Any member of the police force who shall neglect or refuse to perform any duty required of him by the ordinances of the city or the rules and regulations of the department of police, or who shall in the discharge of his official duties be guilty of any fraud, extortion, oppression, favoritism or wilful wrong or injustice may, in addition to any other penalty or punishment imposed by law, be fined not more than one hundred dollars for each offense.

**1767. Disability—salary.]** Any member of the police department receiving injury or becoming disabled while in the discharge of his duties and by reason of or as a consequence of the performance of such duties, so as to prevent him from attending to his duties as such member of the police department, shall for the space of twelve

months, provided his disability shall last that time, or for such portion of twelve months as such disability shall continue, receive his usual salary. The fact of such disability and its duration shall be certified to by the city physician or by the production of such other evidence as shall be satisfactory to the general superintendent of police; Provided, however, that no member of the police department who is on the pension roll or who is receiving any benefit from the pension fund by reason of any such disability or injury shall be entitled to receive any part of his salary during such time as he shall remain on such pension roll or receive any benefit from such pension fund.

**1768. Rewards — when allowed.]** The general superintendent, for meritorious service rendered by any member of the police force in the due discharge of his duty, may permit such member to retain for his own benefit, any reward or present tendered him therefor; and it shall be cause of removal for any member of the force to receive any such reward or present, without notice thereof to the superintendent and without his permission.

**1769. Resignation.]** No person shall resign any position on the police force except upon one week's notice, in writing, given to the superintendent. Any person withdrawing without leave from said police force shall forfeit all back pay, and shall be ineligible thereafter to any position upon said force.

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#### ARTICLE IV.

##### SPECIAL PROVISIONS.

**1770. Impersonating an officer.]** Any person who shall falsely assume or pretend to be a policeman or a member of the department of police of this city, or who shall, without being a member of the department of police of this city, wear in public the uniform adopted as the police uniform, or wear or use the badge or star used by the department of police or any similar in appearance, shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

**1771. Counterfeiting badge, etc.]** Any person who shall counterfeit or imitate or cause to be counterfeited or imitated, or who shall use or wear any badge, sign, signal or device, adopted and used by the department of police, without authority so to do from the general superintendent of police, shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

**1772. Resisting policeman—rescue.]** Any person who shall resist any member of the police force in the discharge of his duty, or

shall in any way interfere with or hinder or prevent him from discharging his duty as such member or shall offer or endeavor to do so, and whoever shall in any manner assist any person in custody of any member of the police force to escape or attempt to escape from such custody, or attempt to rescue any person in custody shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

**1773. Control of cabs, etc.]** Hackmen, cabmen, omnibus drivers, draymen, porters, runners and other persons when at or about any railroad depot or station, or steamboat or canal boat landing, or other public place in the city, shall obey the commands and directions of the police officer or officers who may be stationed or doing duty on or about such depots or stations or landings or other places, for the preservation of order and enforcing the ordinances. Whoever shall refuse to obey the commands and directions of a police officer as aforesaid shall be fined not exceeding twenty-five dollars for each offense.

**1774. Carrying free of charge.]** Any officer or member of the department of police, when in the performance of his official duty, may produce or show his badge to any conductor or collector of fares upon any railroad train, street car, carette, omnibus or other vehicle used for the purpose of carrying passengers for hire within the city, and when so presented, it shall be the duty of any such conductor or collector of fares, as aforesaid, to carry free of charge such officer or member of the police department, aforesaid, from and to any point or points within the city.

**1775. Violation by corporation.]** Any officer or director of any such railroad, street car, carette or omnibus company or other person or corporation using vehicles for the carriage of passengers for hire as aforesaid, who shall issue any order or command prohibiting or interfering with the enforcement of section 1774 shall be fined not less than ten dollars nor more than twenty-five dollars for each offense.

**1776. Misrepresentation.]** Any person who, without being lawfully entitled to have in his possession as such policeman such badge of authority, shall produce the same and thereby obtain free passage upon any public conveyance within the city, shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

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## ARTICLE V.

### MATRONS.

**1777. Appointment.]** The mayor shall appoint annually, as of

the first day of May in each year a chief matron and such assistant matrons as the council shall provide for in the annual appropriation bill.

The chief matron shall have charge and supervision over all assistant matrons who are stationed, or in charge of female prisoners, at, any police station.

**1778. Duties.]** Said chief matron and assistant matrons shall have charge of all female prisoners at any station house to which any such matron or assistant matrons shall be assigned.

The matron assigned to any station house may assign to separate cells or dormitories, subject to the direction of the captain of police in charge of such station, such female prisoners as are first offenders and those whom she may believe worthy of separation from those who are frequent offenders or disturbers. She shall examine into the antecedents and cause of arrest of all such prisoners so separated, and if in her opinion it is best in any case that the prisoner be restored to her family or to the care of her friends or be transferred to a hospital or other public or private institution for the care or reformation of females, she shall make a statement in writing of the facts in such case and submit such statement to the police magistrate by whom such prisoner is to be tried, making to such police magistrate such recommendations as she may deem fit and proper. In such cases, however, the police officer who has made the arrest of such prisoner shall be permitted to make a statement in reply or to submit to the police magistrate such facts concerning such prisoner as he may have in his possession.

**1779. Assistant matrons to report to chief matron.]** Each assistant matron shall keep a record of the cases she reports to the police magistrate, giving the name and age of the prisoner, the offense for which the prisoner was arrested, and the reasons for asking clemency of the police magistrate and the action of the magistrate in such case; and she shall make a weekly report thereof to the chief matron, submitting therewith a transcript from the record of all such cases.

**1780. Chief matron's report.]** The chief matron shall make a weekly report to the general superintendent of police, submitting to him a record of all cases in which she or any of her assistants has made any recommendations concerning any female prisoner to any police magistrate, setting forth therein the reasons for such action and a full history of the case together with such remarks as she may deem proper.

**1781. Rules and regulations.]** The general superintendent of police shall from time to time make such rules and regulations and orders as he may deem necessary for the guidance and control of the chief matron and assistant matrons, and the chief matron and all assistant matrons shall be governed thereby.

## ARTICLE VI.

## HUMANE SOCIETY—SPECIAL POLICE.

**1782. Appointment—removal.]** The general superintendent of police shall have power upon the application in writing of the Illinois Humane Society, to appoint and swear in not to exceed twenty-five special policemen, whose names and addresses shall be set forth in such application; Provided, the persons so to be appointed shall be recommended by the president of said Illinois Humane Society. The general superintendent of police shall keep a correct list of all persons so appointed by him, and he may remove or discharge any of the persons so appointed, at any time, without assigning any cause therefor, and he may appoint other persons, upon similar application and recommendation, to take the place of the person or persons so removed or discharged.

**1783. Duties—powers.]** The special policemen so appointed shall be particularly charged with the duty of enforcing the ordinances of the city relating to cruelty to children and other persons and cruelty to animals. They shall comply with and be subject to all the rules and regulations prescribed by the superintendent of police for the government, control and duties of such special policemen. They shall also perform such other special and temporary police duties as may, in emergency cases, be required by the superintendent of police, or other police officer, or as may be required by the rules and regulations so prescribed. They shall, in the performance of such duties, have all the powers and privileges of patrolmen of the standing police force of the city.

**1784. Compensation.]** The power hereby conferred upon the general superintendent of police to appoint such special policemen, and the appointment of such special policemen, shall be upon the condition that the city shall not be liable in any way for the compensation of any such special policemen, and on condition that such compensation shall be provided by said Illinois Humane Society.



## CHAPTER L.

### POLICE COURTS.

**1785. Names of courts.]** The several police courts already established shall be known and designated as follows, viz.:

The courts now held at the Harrison street police station, as police court No. 1 of the first district, and police court No. 2 of the first district.

The courts now held at the Maxwell street police station, as police court No. 1 of the second district, and police court No. 2 of the second district.

The courts now held at the Desplaines street police station, as police court No. 1 of the third district, and police court No. 2 of the third district.

The courts now held at the West Chicago avenue police station, as police court No. 1 of the fourth district, and police court No. 2 of the fourth district.

The court now held at the East Chicago avenue police station, as the police court of the fifth district.

The courts now held at the police station at the corner of Thirty-fifth and Halsted streets, as police court No. 1 of the sixth district and police court No. 2 of the sixth district.

The courts now held at the Hyde Park police station, and the South Chicago police station, as police court No. 1 of the seventh district and police court No. 2 of the seventh district, respectively.

The court now held at the Stock yards police station, as the police court of the eighth district.

The court now held at the Englewood police station, as the police court of the ninth district.

The court now held at the Sheffield avenue police station, as the police court of the tenth district.

The court now held at Logan Square and Milwaukee avenue, as the police court of the eleventh district.

The court now held at the Warren avenue police station as the police court of the twelfth district.

**1786. Appointment of officials.]** The mayor, by and with the consent of the city council, shall designate as many justices, police court clerks and police bailiffs as shall be necessary to allow each police court established one justice, one clerk and one bailiff.

**1787. Qualification of justices—sessions of court.]** The justices so

designated shall be justices of the peace in the city of Chicago; and when so designated and qualified, shall hold two sessions of court daily, Sunday excepted, one in the morning and one in the afternoon; and one of said courts in each of the three divisions of the city shall be in continuous session.

**1788. Docket of causes heard.]** Each of the several justices of the peace who may be designated to act at the different police courts of the city shall keep a daily list of all cases tried or disposed of before him upon blank forms to be furnished by the city comptroller (independent of a similar list kept by the clerk), and shall note upon such list what disposition was made or steps taken in each and every case, and shall append his official signature thereto; the justice to keep such list in his custody until disposed of as hereinafter provided.

**1789. Compensation of officers—fees paid to city.]** The said justices, clerks and bailiffs shall be compensated by salary, to be fixed by the city council, for doing business of such police courts in lieu of any and all other compensation or fees whatever accruing from the business to be disposed of, and they shall not enter upon the performance of their duties unless they first sign and execute an express relinquishment in writing, in favor of the city, of all fees, emoluments or compensation whatever, other than that which may be provided by a salary, to be fixed, as aforesaid, by the city council, and such relinquishment shall be filed in the comptroller's office. Justices so appointed, as aforesaid, shall account for and turn over to the city all moneys received by them for the issuing of all writs and processes, the making of all orders and the approval of all bonds, and all moneys received by them for any duty or act performed by them as such police magistrates shall be paid into the city treasury. For a failure to pay over such fees, costs and moneys received, the mayor shall remove such justice from office as police court magistrate.

**1790. Clerk's bond.]** The police court clerks of the several districts of the city shall give bonds to the city in the sum of ten thousand dollars with sureties, to be approved by the mayor and city comptroller. Such bonds shall be conditioned for the faithful discharge of their duties as police court clerks, and for the payment to the city collector of all moneys received and collected as such clerks.

**1791. Deputy clerks and bailiffs—appointment and removal—bond.]** Deputy police court clerks and deputy police court bailiffs may be appointed by the city comptroller when necessary, in which case the said deputies shall each give a bond to the city in the sum of three thousand dollars, with sureties, to be approved by the mayor and comptroller, for the faithful discharge of the duties of the office. Such deputy clerks and deputy bailiffs may be removed at any time by the comptroller.

**1792. Absence of clerk—filling vacancy.]** In case of the temporary inability or absence of the clerk, or in case of a vacancy in said office, and when there is no deputy, the police court justice may appoint some competent person to discharge the duties of the office until the vacancy is filled.

**1793. Clerk's docket.]** It shall be the duty of each police court clerk to keep a full and complete docket of all cases brought before the justice for such court, showing how each case has been tried or disposed of, and the amount of all forfeitures, penalties, and fines assessed or punishments fixed, with the fees and costs therein.

**1794. Clerk's daily list.]** The clerk shall also keep a daily list of all cases tried or disposed of in court, upon blanks to be furnished by the city comptroller (such blanks to be properly numbered and to correspond with the blanks kept by the justice), and shall note upon such list the disposition made of each case, and the amount of money received or steps taken to enforce satisfaction of the judgment, whether by the issuance of an execution to the bailiff or otherwise.

**1795. Report to comptroller.]** Such clerk shall make oath to the correctness of such daily list, and shall deliver the same to the city comptroller at the close of each day's business, or as soon thereafter as practicable, and not later than the following day.

**1796. Appeal to criminal court.]** In every case where an appeal is taken or a mittimus to the criminal court is issued the clerk shall prepare the transcript or mittimus (as the case may be) in duplicate, and shall deliver the duplicate to the city prosecuting attorney at the close of each day's business.

**1797. Clerk to collect fines, etc.—pay over daily.]** It shall also be the duty of the clerk to collect and receive payment of all fines, fees, penalties and forfeitures and of all judgments, and to collect and receive all moneys accruing from all cases tried or disposed of in court, of whatever nature, and to give a receipt therefor to the person or corporation paying the same, and thereupon to pay the same over, in full, within one day, to the city collector, and to pay over all costs or fees paid to him in cases appealed from, and he shall take a receipt therefor.

**1798. Witness fees taxed.]** Witness fees in all cases in the police courts in which the city is a party shall be taxed and collected only when demanded or claimed by the witness at the time of the trial; and no witness shall be allowed more than one fee for any one day's attendance, nor shall any witness fee be taxed in any case in favor of any member of the police force. All witness fees when collected shall be paid into the city treasury for the benefit of such witnesses. It shall be the duty of the clerk to deliver to each witness who is entitled to receive from the city any witness fee a certificate thereof,

showing the name of such witness, the suit in which he testified, and the amount to which he is entitled.

**1799. Witness fees—payment.]** The comptroller shall draw his warrant on the treasury, on presentation of said certificate, in favor of the party entitled to such fee; Provided, the same be presented within one week after the filing of the daily report referring to said certificate, herein above required from the clerk of said court.

**1800. Clerk's failure to pay or report.]** In case of the failure of any police court clerk to make his report to the city comptroller or pay over said moneys as herein required a notice shall be served on him by the comptroller allowing him not more than three days to make such returns and pay over all moneys received; and in case of the failure of such clerk to comply with such notice to the satisfaction of the comptroller, the comptroller shall immediately suspend him from office and appoint a substitute, and in case such clerk shall fail to comply with the orders and directions of the comptroller within ten days, then such suspension shall be reported to the mayor, who shall remove such clerk and immediately appoint a successor to fill the unexpired term by and with the advice and consent of the city council.

**1801. Bailiffs sworn in as policemen—duties.]** Such police court bailiffs shall be sworn in as policemen, and shall possess all the power and authority of members of the police force of the city and shall be under the supervision of the superintendent of police. Such bailiffs shall, in addition to doing ordinary court duty, take charge of all executions issued to them by the justices presiding at their several police courts and justices of the peace in their respective districts, and shall see to the collection of the same. In all cases where a defendant is present at the police justice's court and a fine is imposed upon such defendant and an execution issued to the bailiff by the clerk of such justice's court, such bailiff shall be responsible to the city for the amount of such fine and costs thereon, and shall pay the same in full, except in such cases where it may appear that judgment and execution has been otherwise lawfully canceled or appealed from, or the defendant has been sent to the house of correction.

**1802. Bailiff's bond.]** The police court bailiffs shall give bonds to the city in the sum of five thousand dollars, with sureties to be approved by the mayor and comptroller. Such bonds shall be conditioned for the faithful performance of their duties as police court bailiffs, and for the payment to the city collector of all moneys received and collected by them, and for the payment of all moneys for which they are made responsible by the provisions of the ordinances of the city.

**1803. Clerk or bailiff—suspension and removal for other derelict-**

tions.] The comptroller may at any time suspend from office any police court bailiff or clerk for a failure to comply with any ordinance relating to the duty of such clerk or bailiff and in case such clerk or bailiff, so suspended, does not comply with the orders and directions of the comptroller within ten days after such suspension, then the comptroller shall report such suspension to the mayor, and the mayor shall thereupon remove such clerk or bailiff and appoint a successor by and with the advice and consent of the city council.

**1804. Salary ceases on suspension.]** When a clerk, deputy clerk, bailiff or deputy bailiff has been suspended from office, his salary shall cease from the date of such suspension, unless after proper investigation he be reinstated, in which latter case he shall receive such compensation (not to exceed the amount of his salary for the time of his suspension) as to the comptroller may appear just.

**1805. Bailiff's record of executions, etc.]** The several police bailiffs shall keep in books to be furnished by the city comptroller, a full and accurate account and docket of all executions and procedendos which may come into their hands, showing the names of defendants, date and number of executions and procedendos, amount of fines or penalties imposed, and what disposition, if any, has been made of the same.

**1806. Special bail—amount—condition.]** Any person arrested for the violation of any city ordinance, shall have the right to release himself or herself from such arrest by giving special bail in double the amount of the highest fine which can be imposed for the claimed violation, conditioned for his or her personal appearance at the next regular session of the police court to be held in the district where the arrest was made.

**1807. Approval of bond—qualification of surety—forfeiture.]** No special bail bond shall be taken, accepted or approved except by a justice of the peace, and the principal and surety in such bond shall in all cases personally appear before such justice, and sign the bond in his presence; and when so signed, and before the approval of such bond by the justice, the surety thereon shall in all cases qualify under oath, according to law and the requirements as set forth upon such bond, the form of which bond shall be furnished by the city comptroller to each of the police courts in the city, and no other form of bond shall be used in any of the said police courts, in cases where the city is plaintiff. It shall be the duty of the police justice, when a case is called in which bond was given for the appearance of the defendant, and in which such defendant fails to appear, to immediately forfeit such bond and endorse the forfeiture thereon in the blank thereon printed. And it shall be the duty of the justice each day to turn over to the clerk of his court all bonds forfeited by him, which bonds shall be given to the comptroller by the clerk of the po-

lice court not later than the day following the day they are received by him, the said police court clerk at the same time attaching to his daily report memoranda of all forfeited bail bonds received by him that day from the justice and turned over by him to the comptroller.

**1808. Cash substitute for bail.]** If any person shall be arrested without process for the violation of a city ordinance, he may deposit with the captain or lieutenant of police in charge of the district in which such arrest was made as cash bail such a sum of money as will be sufficient in the judgment of such captain or lieutenant to cover and pay any fine and costs which may be imposed against the said party so arrested, and said sum of money so deposited with such captain or lieutenant, shall be held by him, not only as security for the appearance of the person arrested, but also for the payment of any fine and costs which may be assessed against him on said charge, whether he be present in court or not.

**1809. Cash deposit—record—forfeiture.]** It shall be the duty of such captain or lieutenant taking such cash bail or deposit to enter the same in a book to be furnished by the city comptroller for that purpose; and in case the person depositing same fails to appear at the next session of the court, such deposit shall be forfeited to the city, and if a fine be imposed by the court against the party arrested, such captain or lieutenant shall retain from said cash bail or deposit the amount of such fine and costs in full, and shall return the balance of such cash deposit to the depositor thereof, and take a receipt for the same in a deposit receipt-book to be furnished by the comptroller for that purpose; and such captain or lieutenant shall pay the forfeited sum or fine and costs to the clerk of the court, who shall sign a receipt therefor upon a form to be furnished for that purpose by the city comptroller; and it shall be the duty of such captain or lieutenant to preserve the receipts so signed by the clerk of the court, and turn them over to the city comptroller on the first day of each and every month, such receipts to be safely kept by the city comptroller and be used by him in checking up the accounts of the clerks of the said courts.

**1810. Notice of forfeited bonds—sureties not again competent—collection.]** The comptroller shall, on the first day of each and every month, send to each and every police justice a list of all forfeited bail bonds unpaid, and upon such notification the police justice shall refuse to accept any person appearing upon said list as a bondsman, in any other case, until the said forfeited bonds have been paid or settled.

If any justice, after receiving such notification, accepts any such person or persons upon any bail bond, such justice shall be removed from his office by the mayor.

The comptroller shall, on the first day of each and every month,

send all defaulted and forfeited bail bonds received by him during the preceding month, to the city prosecuting attorney, for collection by suit or otherwise.

#### JUSTICES OF THE PEACE.

**1811. Dockets.]** The several justices of the peace of the city who are not police magistrates, shall keep a full and complete docket of all city cases commenced, tried and disposed of before them, as well as all city cases which may come before them by change of venue from police courts or otherwise, and note upon such docket so kept what disposition was made as to fines and forfeitures, or steps taken in each and every case. In every city case heard before any justice of the peace in the city, if an appeal is taken or the defendant is committed, the justice shall prepare the transcript or mittimus (as the case may be) in duplicate, and at the close of each day's business shall deliver the duplicate to the city prosecuting attorney.

**1812. Monthly reports.]** The said several justices of the peace shall make upon blanks to be furnished to them reports to the city comptroller at the close of each and every month, of all cases, fines and forfeitures for the violation of ordinances imposed, collected and paid to them, or execution issued during such month, with the name of the defendant, number of the execution, amount of the fine, fees and forfeitures collected, or otherwise disposed of.

**1813. Monthly settlement.]** The said several justices of the peace at the close of each and every month, at the date of making their said report to the city comptroller, as directed, shall pay into the city treasury all fines and forfeitures for the violation of city ordinances when collected, and all other moneys collected by them for the use of the city, save and except their proper costs and charges.

## CHAPTER LI.

### POUNDS AND POUNDMASTERS.

**1814. Pound limits.]** No cow, horse, mule, donkey, pig, sheep, goat, or cattle of any kind shall be permitted to run at large or be herded within the city, under a penalty of three dollars for each such animal so permitted to run at large or be herded, together with the costs of impounding and the expense of sustenance for such animal or animals impounded as hereinafter provided, to be paid by the owner or person having charge, care or keeping thereof, severally and respectively.

**1815. Districts.]** The city of Chicago shall be divided into seven pound districts, as follows:

District No. 1. All that part of the city north and east of the north branch of the Chicago river.

District No. 2. All that part of the city north of the center line of North avenue and west of the north branch of the Chicago river.

District No. 3. All that part of the city south of the center line of North avenue and north of the center line of 39th street and west of the north branch of the Chicago river, and west of the south branch of the Chicago river to the point where the center line of Western avenue crosses said south branch, and from that point south along said center line to the point where said center line of Western avenue crosses said center line of 39th street.

District No. 4. All that part of the city south of the Chicago river and north of the center line of 39th street and east of the south branch of the Chicago river to the point where the center line of Western avenue crosses said south branch, and from that point south along said center line to the point where said center line of Western avenue crosses said center line of 39th street.

District No. 5. All that part of the city west of the center line of State street between the center line of 39th street and the center line of 87th street.

District No. 6. All that part of the city east of the center line of State street between the center line of 39th street and the center line of 87th street.

District No. 7. All that part of the city south of the center line of 87th street.

**1816. Appointment of poundmasters.]** The mayor by and with the advice and consent of the city council, shall appoint a poundmaster for each of the several districts named in this chapter and each



such poundmaster shall have exclusive power and authority over his district for the enforcement of the provisions of this chapter.

**1817. Location of pounds.]** The city comptroller is hereby directed to designate in each district above described a place in which shall be located one good and suitable pound, to be maintained under the care and direction of the poundmaster for such district.

**1818. Bonds.]** Each poundmaster shall before entering upon his duties execute a bond with sureties to be approved by the comptroller, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

**1819. Duties.]** It shall be the duty of each and every poundmaster to take up and impound any such animal or animals known to him to be running at large within the aforesaid pound limits of the district of said city in which the pound kept by him is situated; and for each neglect or refusal to do so he shall forfeit and pay a penalty of five dollars.

**1820. Who may impound—fee.]** It shall be lawful for any person over eighteen years of age to take up any such animal or animals running at large contrary to the provisions of section 1814 of this chapter and take the same to the pound in the district where such animal or animals may be taken up, and for so doing he shall receive from the poundmaster an impounding fee of fifty cents for each animal so taken up and impounded by him. And it shall be the duty of the poundmaster to enter upon a proper form to be furnished by the comptroller, forthwith, the name and residence of the person so taking any such animal to the pound and receiving such fee.

**1821. Fees—sustenance of animal—redemption.]** There shall be charged for each animal impounded an impounding fee of fifty cents, and also fifty cents for each day or part of a day for providing sustenance for each animal impounded, in addition to the penalty of three dollars hereinbefore provided for. At any time before the sale of any animal impounded, the owner or owners thereof may redeem the same by paying to the poundmaster the penalty prescribed in section 1814 of this chapter, together with the impounding fee and costs of sustenance as prescribed herein; and in case proceedings shall have been instituted before a judicial officer, the cost of such proceedings and the amount of the judgment, if judgment shall have been recovered under this chapter, together with subsequently accrued costs of sustenance, shall be the redemption money to be paid. All moneys collected by any poundmaster under the provisions of this chapter shall be paid over to the city collector daily.

**1822. Proceeding as to impounded animal.]** When any animal shall be impounded as aforesaid, it shall be the duty of the keeper of the pound where such animal is impounded, forthwith to make

complaint before some justice of the peace of the said city against the owner or owners of such animal, if known, and thereupon a warrant shall be issued, and upon the return thereof executed, or the defendant having appeared, it shall be the duty of the justice to inquire whether the defendant has been guilty of a violation of this chapter; and, if the defendant be found guilty, judgment shall be rendered against him for the penalty, impounding fee, and cost of sustenance herein prescribed and the costs of suit, and an order shall be entered that the animal shall be sold to satisfy such judgment, in case the same shall not be paid forthwith. Such order shall describe the animal and state the time and place of impounding.

1823. *Proceedings—owner unknown.*] When the owner of any animal impounded shall be unknown, it shall be the duty of the poundmaster when such animal shall be impounded to make complaint as provided in the last section, against the unknown owner of such animal, describing it, and thereupon the officer before whom such complaint shall be made shall issue a notice in substance as follows, to wit:

#### POUND NOTICE.

Whereas, complaint has this day been made before me, that the unknown owner of the following described animal, to wit:—impounded at— on the— day of — A. D. 19—, has permitted the same to run at large, contrary to the provisions of the ordinance of the city of Chicago prohibiting the running at large of certain animals therein mentioned, within the city.

Now, therefore, notice is hereby given that a trial will be had upon the said complaint, at my office, in the city of Chicago, on the— day of— A. D. 19—, at the hour of —m., when and where the unknown owner may appear and defend, if he sees fit so to do. Witness my hand and official seal, this —day of —, A. D. 19—. — J. P. [L. s.]

The day named in such notice for trial shall not be less than five nor more than ten days from the time of issuing the same, and it shall be the duty of the poundmaster making the complaint, forthwith to post three copies of such notice, one at the pound where the animal is impounded, one at the office of the justice issuing the same, and one on a board provided for that purpose within the hall of the court house in said city, and to return such notice, with the time, place and manner of said posting.

1824. *Docket entry.*] The justice issuing such notice shall enter the cause upon his docket, as follows, to wit: The city of Chicago vs. The Unknown Owner of (here specify the animal). And upon the return of the notice prescribed in the last section, like proceedings shall be had as in the case of personal service or appearance.

**1825. Jury trial.]** In all trials for violation of this chapter the accused shall have the right of trial by jury, and in proceedings against unknown owners the trial must be by jury.

**1826. Execution on judgment—sale—notice.]** Upon the rendition of any judgment as provided in section 1822 of this chapter, the justice of the peace rendering the same shall issue forthwith to the keeper of the pound where the animal is impounded an order which shall be in the following form as nearly as may be:

The People of the State of Illinois, To \_\_\_\_\_, Poundmaster.

We command you, that of the following described animal, to wit: \_\_\_\_\_, the property of \_\_\_\_\_, you make the sum of \_\_\_\_\_ dollars and \_\_\_\_\_ cents debt, and \_\_\_\_\_ dollars and \_\_\_\_\_ cents costs, which the city of Chicago lately recovered before me, against the said \_\_\_\_\_, and hereof make due return.

Given under my hand and seal, this the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19—.

\_\_\_\_\_, J. P. [L. s.]

Upon the receipt of such order, the poundmaster shall immediately post three notices in like places as provided in section 1823 of this chapter, in substance as follows:

#### POUND NOTICE.

Taken up and impounded in the city pound of the \_\_\_\_\_ division of the city of Chicago, at \_\_\_\_\_, the following described animal: \_\_\_\_\_ which, unless redeemed, will be sold at public auction for cash to the highest bidder at said pound at the hour of \_\_\_\_\_ o'clock, — m. on the \_\_\_\_\_ day of \_\_\_\_\_, 19—.

\_\_\_\_\_, Poundmaster.

The day of sale mentioned in such notice shall be the third day after posting the same, exclusive of Sundays, holidays and election days, and if such animal is not redeemed, the poundmaster shall sell it in accordance with said notice. It shall be the duty of the poundmaster receiving such order as is prescribed in section 1826 of this chapter to return the same within twenty days from its date to the officer issuing it, with an indorsement showing when and how such order was executed.

**1827. Purchase prohibited.]** No person shall purchase or be interested directly or indirectly in the purchase of any animal taken up, impounded or sold by him under the provisions of this chapter, under a penalty of not less than twenty-five dollars nor more than one hundred dollars for each offense.

**1828. Breaking pound.]** If any person shall break open, or in any manner directly or indirectly aid or assist in, or counsel or advise the breaking open of any city pound, he shall be fined not more than twenty dollars for each offense.

**1829. Hindering taker of animal.]** No person shall hinder, delay or obstruct any person engaged in taking to any city pound any animal or animals liable to be impounded, under a penalty of not less than five dollars nor more than ten dollars for each offense.

**1830. Sale—proceeds.]** When the proceeds of the sale of the animal shall exceed the amount of judgment and costs, and the expense of sustenance which shall have accrued subsequently to the rendition of the judgment, and such excess shall have been paid to the city collector, the owner or owners of such animal shall be entitled to a warrant on the city treasurer for such excess, upon presenting to the city comptroller satisfactory evidence of his right thereto.

**1831. Unlawful taking.]** Any person who shall take or drive any animal from any inclosed lot or tract of ground, or from any stable or other building, to any pound in said city, or with the intent that such animal may be impounded, shall be fined not less than five nor more than twenty dollars for each offense.

**1832. Vehicles or harness attached to estrays.]** Any vehicle, harness or other equipment attached to any animal impounded shall be removed forthwith from such animal and turned over, by the poundmaster, to the department of police.

**1833. No perquisites.]** No poundmaster shall receive any other compensation or perquisite than his salary, which shall be fixed by the city council in the annual appropriation bill.

**1834. Poundmaster to keep pound clean.]** No poundmaster shall allow his pound or any animal therein, by reason of any want of care, food, ventilation or cleanliness, or otherwise, to be or become dangerous or detrimental to human health.

**1835. Mayor—power to remove poundmaster.]** Each and every poundmaster shall be subject to removal from office by the mayor whenever he shall deem the interests of the city require such removal.

## CHAPTER LII.

### PUBLIC WORKS.

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#### ARTICLE I.

##### DEPARTMENT OF PUBLIC WORKS.

**1836. Department of public works established.]** There is hereby established an executive department of the municipal government of the city which shall be known as the department of public works, and shall embrace the commissioner of public works, the deputy commissioner, the city engineer, the superintendent of streets, the assistant superintendent of streets, the superintendent of water, the superintendent of sewers, the superintendent of maps, and such other assistants and employes as the city council may, by ordinance, provide.

**1837. Commissioner of public works—office created—appointment.]** There is hereby created the office of commissioner of public works. He shall be appointed by the mayor by and with the advice and consent of the city council. He shall have the management and control of all matters and things pertaining to the department.

**1838. Assistants and employes.]** Said commissioner shall appoint according to law all officers and employes in said department, and he may remove any such officer or employe according to law.

**1839. Bond.]** Said commissioner, before entering upon the duties of his office, shall execute a bond to the city in the sum of fifty thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**1840. Bonds of subordinates.]** It shall be the duty of said commissioner to require good and sufficient bonds to be given by all subordinate officers and employes in said department of public works who perform any or all of the duties of keeping the time of employes, certifying to pay rolls and making out or delivering time checks for employes, and the registrar in the bureau of water, which said bonds shall be approved by the commissioner of public works.

**1841. Powers.]** Said commissioner shall have charge of all public improvements commenced, or to be commenced, by said city, and shall have power, subject to the ordinances of the city, to regulate

and control the manner of using the streets, alleys, highways and public places of the city, for the erection of telegraph poles, or other poles or posts; for the laying down of gas, water or steam pipes, sewers, conduits and other underground construction authorized by law or the ordinances of the city, and to determine the location thereof; and to cause the prompt repair of the streets, alleys, highways and public places, whenever the same are taken up or altered; Provided, that nothing herein contained shall be construed as relating to the construction of local improvements paid for in whole or in part by special assessment.

**1842. Duties.]** It shall be the duty of said commissioner of public works, subject to the provisions hereof and the ordinances of the city, to take special charge and superintendence of all streets, alleys, and highways in the city, and of all walks and crosswalks, bridges, viaducts, docks, wharves, public places, public landings, public grounds and parks in said city; of all markets and market places and all other public buildings in the city, belonging to the city, and of the erection of all public buildings; of all works for the widening, deepening or dredging of the Chicago river and its branches, and of the harbor of said city; of all sewers and works pertaining thereto; and of the water works of said city; and he shall collect all water rates and fees for the use of water or for permits issued in connection with the water works system, and all sewerage permits and licenses; Provided, that nothing herein contained shall be construed as relating to the construction of local improvements paid for in whole or in part by special assessment. (Note: See Supplement.)

**1843. Books of account.]** It shall be the duty of said commissioner to cause to be kept in books of account, in such manner as to show with entire accuracy, the receipts and expenditures of said department, and in such manner that the same may be readily understood and investigated; and also to preserve on file in said department duplicate vouchers of all the expenditures of said department, which books and vouchers, and all papers and files of said department, shall be at all times open to the examination of the comptroller, the finance committee, or any member of the city council.

**1844. Commissioner constituted a board of public works.]** The commissioner of public works shall in all matters whereby, by reason of any ordinance, resolution, agreement, or act, heretofore passed, entered into, or done, the action of a board of public works is necessary, constitute a board of public works for such purpose, and shall do and perform all things required to be done by or imposed upon said board.

#### CONTRACTS AND CONTRACTORS.

**1845. Contract—extra work.]** Where any work or job is done or

is being done for the city under contract, no payment shall be made on such contract for any work not specified in such contract, and no money shall be paid beyond the prices specified in such contract for any work, labor or material necessary for, or used in, completing the work provided for by such contract.

Where any contract is entered into on behalf of the city with any person or corporation for the doing of any work or job, no extra work upon the undertaking or job authorized in such contract shall be ordered or authorized to be done by the commissioner of public works, or by any officer or agent of the city, which will involve the expenditure of any money over and above the amount specified and fixed as the contract price in and by such contract, unless the express authority of the city council be first procured for such extra work and for the expenditure of the amount to be paid therefor.

In any case where work is done under contract with the city under the supervision of the commissioner of public works and it shall be the opinion of the said commissioner that in order to properly complete such work, extra work not provided for in such contract will have to be done, or additional expenditures not provided for in such contract will have to be made, said commissioner shall submit a report in writing to the city council, setting forth fully what extra work is desired, the necessity therefor and the amount of money necessary to be expended in and about such extra work.

**1846. Payments on contracts—how made.]** All moneys payable by the city, for work done or supplies furnished by contract or otherwise, under the department of public works, shall be paid by the comptroller upon the requisition of the commissioner of public works.

**1847. Contracts—how made.]** All contracts for the making of any public improvement and for any work or other public improvement, when the expense thereof shall exceed the sum of five hundred dollars, shall be let to the lowest responsible bidder, after advertising the same, and shall be approved by the mayor; but any such contract may be entered into by the said commissioner without advertising for bids, and without such approval, by a vote of two-thirds of all the aldermen elected. No contract shall be made for any work or supplies relating to any of the matters within the cognizance of the department of public works unless such work or supplies shall have been authorized by the city council.

**1848. Contracts—bids for.]** In all cases, the bids for doing any work, or making any public improvement, shall be sealed bids, directed to said department, and shall be accompanied with a deposit, the amount of which shall be fixed by said commissioner, and named in said advertisement, and which shall not exceed five per cent of the estimated cost of the improvement or work to be done, nor be less than the sum of one hundred dollars. Such deposit shall be in money, or a certified check upon some Chicago bank in

good standing, payable to the order of said commissioner, and shall be forfeited to the city in the event that the bidder shall neglect or refuse to enter into a contract (with approved sureties) to execute the work for the price mentioned in his bid, and according to the plans and specifications, in case the contract shall be awarded to him. Such bids shall be opened at the hour and place mentioned in such notice; and should such bid or bids be rejected, or should it become necessary for any other reason to re-advertise for proposals to do such work, such subsequent advertisement may be, at the discretion of said commissioner, for three instead of five days, as required in the first instance. Said commissioner may in such advertisement, reserve the right to reject any and all bids.

**1849. Contracts—how let.]** All contracts, exceeding in amount the sum of five hundred dollars, for work, materials or supplies, relating to any of the matters under the cognizance of the department of public works, shall be let by the commissioner of public works to the lowest reliable and responsible bidder or bidders, whose bid does not exceed the estimate; and bonds, to be approved by the commissioner, shall be taken for the faithful performance thereof; all such contracts shall be executed in triplicate by the commissioner of public works, on the part of the city, and by the contractor; one original copy so executed shall be kept and filed in the office of the commissioner of public works; one shall be filed in the office of the comptroller, and the third shall be given to the contractor. All contracts and bonds so taken, shall be in the name of, and run to, the city of Chicago; and every contract for a sum greater than five hundred dollars shall have the consent in writing of the mayor endorsed thereon, and shall be countersigned by the city comptroller.

**1850. Contracts—essential clauses—reservation of payment.]** In all contracts executed by said commissioner, on behalf of the city, the right shall be reserved to said commissioner to finally decide all questions arising as to the proper performance of the work; and in case of improper construction, or of non-compliance with the contract in any manner, to suspend such work at any time or to order the partial or entire reconstruction of such work if improperly done, or to declare the contract forfeited, and to re-let the same without further advertisement; and to adjust the difference of damages or price, if any, which the contractor, failing to properly construct such work in such cases of default, should pay to the city, according to the just and reasonable interpretation of said contract. In cases where the contractor shall proceed to properly perform and complete his contract, the said commissioner may from time to time as the work progresses, grant to such contractor an estimate of the amount already earned, reserving fifteen per centum therefrom, which shall entitle the holder to receive the amount that may be due thereon when the



money applicable to the payment of such work shall be available, and the conditions annexed to such estimate, if any, shall have been satisfied.

**1851. Contracts payable out of water fund.]** All contracts entered into by the said commissioner of public works, payable out of the water fund, shall so specify.

**1852. Contractor's liability.]** Whenever said commissioner or any other city officer shall let any work or improvement which shall require the digging up, use or occupancy of any street, alley, highway or public ground of said city, there shall be inserted in the contract for the same, substantial covenants requiring such contractor, during the night time, to put up and maintain such barriers and lights as will effectually prevent the happening of any accident in consequence of such digging up, use or occupancy of any street, alley, highway or public grounds, for which the city might be liable, and also such other covenants and conditions as experience may prove necessary to save the city harmless from damages. And also to provide in such contract that the party contracting with the city shall be liable for all damages occasioned by the digging up, use or occupancy of such street, alley, highway or public grounds, or which may result therefrom, or which may result from the carelessness of such contractor, his agents, employes or workmen.

**1853. Contractor's bond of indemnity.]** Whenever any work or improvement is let by contract, to any person or corporation, the officers of the city letting the same shall, in all cases, take a bond from such person, or corporation, with good and sufficient sureties, in an amount equal to twice the total amount the city is obligated to pay under such contract to insure the performance of the work in the time and manner required in such contract, and also to save and indemnify and keep harmless the said city against all liabilities, judgments, costs and expenses which may in any wise accrue against said city in consequence of the granting of such contract, or which may in any wise result from the carelessness or neglect of such person, or corporation, or his or its agents, employes or workmen, in any respect whatever; and conditioned also, that when any judgment shall be recovered against said city by reason of the carelessness or negligence of such person or corporation so contracting, or his or its employes or workmen, and when due notice has been given by the city to such person or corporation of the pendency of such suit, such judgment shall be conclusive against such person or corporation, and his or its sureties on such bond, not only as to the amount of damages, but as to their liability; and such bond shall be conditioned also for the payment of all claims and demands whatsoever which may accrue to each and every person who shall be employed by such contractor, or any assignee or sub-contractor of such contractor, in or about the performance of such contract.

**1854. Payments to sub-contractor, reserve.]** It shall be the duty of the commissioner of public works, in letting any contract for any sewer, public improvement or other work, to insert in the contract therefor a condition to the effect that it shall and may be lawful for said commissioner, whenever he shall have reason to believe that the contractor has neglected or failed to pay any sub-contractor, workman, or employe for work performed on or about any public improvement, sewer or other work contracted for, to order and direct that no further vouchers or estimates be issued, and no further payments be made upon such contract until such commissioner shall be satisfied that such sub-contractors, workmen and employes have been fully paid. Every such contract shall also provide, that a certain percentage (not less than fifteen per centum) shall be reserved out of the moneys earned upon such contract to insure the proper performance of the work covered thereby and a full compliance with the provisions of the contract, and such percentage shall not be payable until such contractor shall satisfy the commissioner or officer letting such contract that all sub-contractors, workmen and employes have been fully paid, and that the work covered by such contract has been fully completed in accordance with the provisions thereof.

**1855. Payment to sub-contractors and workmen, etc.]** Whenever the commissioner shall notify the contractor by notice personally served, or by leaving a copy thereof at the contractor's last known place of abode, that no further vouchers or estimates will be issued, or payments made on the contract until the sub-contractors, workmen and employes have been paid, and the contractor shall neglect or refuse, for the space of ten days after such notice shall have been served, to pay such sub-contractors, workmen or employes, it shall and may be lawful for the city to apply any money due, or that may become due under the contract, to the payment of such sub-contractors, workmen and employes without other or further notice to said contractor; but the failure of the city to retain and apply any of such moneys, or of the commissioner to order or direct that no vouchers or estimates shall issue, or further payments be made, shall not, nor shall the paying over of such reserved percentage, without such sub-contractor, workman or employe being first paid, in any way affect the liability of the contractor or of his sureties to the city, or to any such sub-contractor, workman or employe upon any bond given in connection with such contract.

**1856. Bond schedule of securities.]** In all cases, before the letting of any contract, where bonds are required to be taken by the commissioner of public works, the sureties therein shall deposit with said commissioner a statement, under oath, showing the real property owned by each surety, the location of the same, its value, and the amount of incumbrance or incumbrances, if any, thereon. If at

any time the sureties, or either of them, upon any such bond shall become insolvent, or shall in the opinion of the commissioner of public works be unsatisfactory, or unable to respond in damages in case of liability on such bond, said commissioner shall notify the principal or principals on such bond, and direct that satisfactory sureties be provided forthwith; and no payment shall be made on account of work done by such principal or principals until satisfactory sureties have been provided as directed. In case of the neglect, failure or refusal of such principal or principals to provide satisfactory sureties when so directed, within ten days after such notification, the commissioner may declare the contract of such principal or principals forfeited, but such forfeiture shall not release the principal or principals, or their sureties, from any liability which may have accrued prior to the date of such forfeiture.

**1857. Water fund—how paid out.]** All moneys to be paid to any person out of the water fund shall be certified by the commissioner of public works to the city comptroller.

**1858. Interest in contract.]** Neither the said commissioner nor any person employed in said department shall be interested, directly or indirectly, in any contract made and entered into by said department for any work or for any material to be furnished, and all contracts made by said department in which the said commissioner, or any employe of said department, shall be so interested, shall, at the option of the city, be declared utterly void, and of no binding effect whatever, and any officer of said department interested in any contract shall thereby forfeit his office, and be removed therefrom on proof of such delinquency, and it is hereby made the duty of said commissioner, and of the mayor, and of every city officer, to report to the city council any such delinquency when discovered.

**1859. Inhibition of profit.]** No officer or employe of said department shall, either directly or indirectly, receive any interest or profit whatever, on account of the deposit of the city funds, nor shall any such officer or employe, either directly or indirectly, make use of or borrow any of said funds for his own private benefit or advantage.

**1860. Annual report.]** Said commissioner shall, on or before the first day of May in each year, prepare and present to the city council a report showing the receipts and expenditures and entire work of his department during the previous fiscal year.

**1861. Annual estimates.]** The commissioner of public works shall, within thirty days after the commencement of each fiscal year, submit to the comptroller, to be by him laid before the city council with his annual estimates, a statement, as near as the same can be estimated, of the repairs and improvements to be paid for out of the general fund of the city, and necessary to be undertaken by said city during the current year, and of the sums required by said department

to make such repairs and improvements, as near as can be estimated; and also, a statement as to any desired improvements, with the probable expense thereof; and of all contracts made and unfinished; and the amount of any and all unexpended balances of appropriations of the preceding and prior years. Said report shall be in detail. The city council, having revised, changed, or altered the estimates so submitted, may provide for raising the same, in the annual appropriation bill or ordinance.

**1862. Power to remove obstructions.]** The commissioner of public works may direct the removal of any article or thing whatsoever, which may encumber or obstruct any street, avenue or alley in the city.

**1863. Duty to barricade defective sidewalks.]** The commissioner of public works shall order the ward superintendents to take particular notice of defective and dangerous sidewalks and streets in their respective wards and instruct the men employed by the city as ward laborers to barricade all such sidewalks and streets and keep such barricades in place until such defective and dangerous sidewalks and streets have been substantially repaired or replaced by new pavements.

**1864. Ward superintendents to report.]** The ward superintendents shall report such barricades to the commissioner of public works, giving names and numbers of streets where such barricades are erected, and said commissioner of public works shall file a list of such barricades with the city attorney and the board of local improvements once in each week.

**1865. Rules and regulations.]** All subordinate officers, assistants, clerks and employes employed in said department shall be subject to such rules and regulations as shall be prescribed from time to time by said commissioner.

#### PERMITS.

**1866. Prerequisite.]** Before a permit shall be granted to any person or corporation, to open any street, sidewalk, alley, avenue or public place for any purpose, an estimate of the cost of restoring the said street, sidewalk, alley, avenue, or public place to a condition equally good as before it shall have been so opened, with a fair additional sum as margin for contingent damages, shall be made by the commissioner of public works, and the permit shall be issued and transmitted to the city collector for collection of the deposit and fee and delivery of the permit.

**1867. No permit to be issued for tearing up or obstructing streets unless bond of indemnity is given.]** No permit shall be issued to any person or corporation, permitting or allowing the obstruction of any

street or sidewalk, or tearing up, removing or repairing of any street or sidewalk, or any part thereof, until the person or corporation making application for such permit shall first have executed to the city a good and sufficient bond, in an amount to be fixed by the commissioner of public works, in no case to be less than \$10,000.00, and with sureties to be approved by said commissioner, conditioned to indemnify, save and keep harmless the city from any and all loss, cost, damage, expense or liability of any kind whatsoever, which it, the city, may suffer, or which it may be put to, or which may be recovered from it, from or on account of the issuance of such permit, or from or on account of any act or thing done by virtue of the authority given in such permit, or for any damage, loss or expense to any person or corporation caused by or on account of the obstruction of any such street or sidewalk, or by the tearing up, repairing or removing of such street or sidewalk, or part thereof.

**1868. Restoration work.]** As soon as the work provided for in any such permit has been performed the person or corporation to whom such permit was issued shall replace and restore, or cause to be replaced and restored, the street, sidewalk, alley, or other public place, to a condition equally good as it was in before being opened or disturbed under the authority of such permit. If such work of replacing and restoring be not completed forthwith by such person or corporation, or be not done to the satisfaction and approval of the commissioner of public works, said commissioner shall have such work of replacement and restoration done by city workmen, and the cost and expense of such work of replacement and restoration when done by city workmen shall be charged to the person or corporation to whom such permit was issued and be deducted from the amount deposited by such person or corporation.

**1869. Cost advanced—surplus—deficiency.]** After completion of the work to the satisfaction of the commissioner of public works, he shall certify to the city comptroller the amount of any surplus remaining from the amount deposited in such case, and said surplus shall thereupon be paid over to the proper claimant. But, if for any reason the amount of such deposit shall have been insufficient to cover the cost of such work, or if any damage shall have been done to any underground work or connections, or otherwise, not contemplated in the original estimate, which shall have caused increased expenditure, the amount of such deficiency or damage shall be certified to the city comptroller, who shall collect the same from the person or corporation, to whom the permit was issued.

**1870. Record of permits.]** The commissioner of public works shall keep a record of all permits granted for connections with sewers or drains, in which he shall enter the names of all persons from whom he may receive money for such permits, with the amount received from each person at the time when it was received.

**1871. Consent of commissioner.]** In all cases where provision is made by ordinance that the consent of the commissioner of public works shall be obtained to authorize any act to be done, he may grant a permit therefor, subject to the restrictions of the ordinances in relation thereto, and in cases where the ordinances of annexed cities, towns or villages granting privileges and rights in the streets, alleys and public grounds for different purposes contain the provision that the president and board of trustees shall in each instance grant permission for any specific work under the ordinances, authority is hereby vested in the commissioner of public works to grant such permission in lieu of said president and board of trustees, provided, however, that all charges by said commissioner of public works for granting such permits shall be reasonable.

**1872. Dredging permit.]** In all cases, charges for granting permits for dredging as well as for permits for building or repairing any dock or other like structure on or along the waters of the harbors of the city, shall, in the former instance, not exceed four dollars per day for every day the dredge works under said permit, and in the latter instance shall not exceed twenty-five cents for every lineal foot of the total distance covered by or included in said dock permit to defray the expenses of the surveys, inspection and superintendence of such work.

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## ARTICLE II.

### DEPUTY COMMISSIONER OF PUBLIC WORKS.

**1873. Office created—appointment—duty.]** There is hereby created the office of deputy commissioner of public works. He shall be appointed by the mayor and shall have authority, under and subject to the order, direction and control of the commissioner of public works, to sign or act for the commissioner of public works, and shall perform such duties as may be required of him by said commissioner.

**1874. Bond.]** Said deputy commissioner of public works, before entering upon the duties of his office, shall execute a bond to the city, in the sum of twenty-five thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

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## ARTICLE III.

### CITY ENGINEER.

**1875. Duties.]** The city engineer shall perform such duties as

may be required of him by the commissioner of public works, or the ordinances of the city, and shall also perform all such services in the prosecution of public improvements as may require the skill and experience of a civil engineer.

**1876. Supervision of work.]** He shall have charge of all improvements, repairs or other work in the river and harbor and of the construction and repairing of all bridges, viaducts and waterworks, and shall superintend the laying of all main and supply water pipes.

(Note: See Supplement.)

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#### ARTICLE IV.

##### SUPERINTENDENT OF STREETS.

**1877. Duties.]** The superintendent of streets shall perform such duties as may be required of him by the commissioner of public works, or the ordinances of the city.

**1878. Charge of streets.]** He shall have special charge of the streets, sidewalks and public ways of the city and of the improvement and repair thereof, except where such repair or improvement of streets or sidewalks is to be paid for wholly or in part by special assessment.

**1879. Weekly reports to aldermen.]** He shall make a weekly report to the aldermen of the respective wards of the names and addresses of all men on the pay rolls for street and garbage work, together with the amount of their wages; all material furnished, where used and the cost thereof; also of all streets cleaned and repaired; and the names and addresses of all persons furnishing teams and the amounts paid therefor. Such report shall be made separately by wards to the aldermen of each ward.

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#### ARTICLE V.

##### ASSISTANT SUPERINTENDENT OF STREETS.

**1880. Duties.]** The assistant superintendent of streets shall perform such duties as may be required of him by the commissioner of public works, the superintendent of streets, and the ordinances of the city. He shall have charge of the cleaning of the streets and alleys of the city, including the removal and disposition of garbage, filth, litter, dirt, ashes, manure, offal, swill, and other materials and substances from the streets and alleys. He shall also see to it that the

ordinances of the city pertaining or relating to the throwing or casting of garbage, dirt, filth, litter, ashes, manure, offal, swill, and other materials and substances in or upon any street, alley, or public way, are enforced and that violations thereof are reported to the prosecuting attorney for prosecution.

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## ARTICLE VI.

### SUPERINTENDENT OF WATER.

**1881. Duties.]** The superintendent of water shall perform such duties as may be required of him by the commissioner of public works, or the ordinances of the city.

**1882. Water rates—collection.]** He shall have special charge of the assessment and collection of all water rates or assessments.

**1883. Daily report of moneys received.]** Said superintendent shall report to the city treasurer, once in each day, all moneys received by him in said department of public works, and at the same time pay over to the city treasurer, all moneys, with a statement of the same and to what account the same belongs, and shall take a receipt and duplicate receipt for all moneys so paid over, which said duplicate receipt he shall immediately deposit with the said commissioner of public works.

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## ARTICLE VII.

### SUPERINTENDENT OF SEWERS.

**1884. Duties.]** The superintendent of sewers shall perform such duties as may be required of him by said commissioner of public works, or the ordinances of the city.

**1885. Sewers—charge of.]** He shall have special charge of the construction of all public and private sewers and catch basins laid on or in any public street, alley or way, except where the cost of such construction is to be paid for wholly or in part by special assessment. He shall have charge of the issuance of all permits for connection with, or repairs to, the sewerage system of the city.



## ARTICLE VIII.

## SUPERINTENDENT OF SPECIAL ASSESSMENTS.

**1886. Duties.]** The superintendent of special assessments shall have special charge of all proceedings connected with the making of special assessments, subject to the directions of the board of local improvements.

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## ARTICLE IX.

## SUPERINTENDENT OF MAPS.

**1887. Duties.]** The superintendent of maps shall perform such duties as may be required of him by said commissioner of public works, or the ordinances of the city.

**1888. Duties—plats.]** He shall be *ex officio* examiner of subdivisions, and it shall be his duty to examine all plats and maps of subdivisions of land in the city upon presentation of the same to him, and if he shall approve of the same, he shall so certify.

**1889. Record of plats—street numbers.]** He shall have special charge of all matters pertaining to the keeping of the records of maps and plats recorded in the city; and of all matters pertaining to street numbers; and he shall make all maps and plats which may be required of any department of the city.

## EXCAVATIONS.

**1890. Permit—boring prohibited.]** No person or corporation shall, without an express permit in writing previously obtained in each and every instance from the commissioner of public works, place any shaft, cable, pipe, main, conduit, wire, or other transmitting or conducting device underneath the surface of any street or alley in the city by driving the same through the earth underneath the surface of any such street or alley, or by boring or tunneling underneath any such street or alley.

**1891. Penalty.]** Any person or corporation violating the foregoing section shall be fined not less than fifty dollars nor more than two hundred dollars for each offense.

**1892. Power of commissioner.]** All shafts, cables, pipes, mains, conduits, tubes, wires or other transmitting or conducting devices at any time laid or placed underneath the surface of any such street or

alley in any manner forbidden by section 1890 shall be promptly removed or cut out by the commissioner of public works.

#### DISPLACING PAVEMENTS.

**1893. Limited to two blocks.]** It shall be unlawful to open or tear up any of the paved streets of the city for any greater distance than two blocks in extent at any one time, for the purpose of laying railroad tracks, car tracks, gas pipes, sewers, telegraph or telephone cables, or the repairs of the same, or other purposes other than laying down new pavements. The pavement of the first block opened shall be temporarily relaid and the debris removed before opening another block of the street in which the work is being prosecuted. The commissioner of public works shall provide the necessary rules governing the repairs of paved streets under this and other ordinances, so that the pavements shall be absolutely replaced in as good order as before being disturbed, the earth packed solid and pavement laid even with the adjacent blocks or other material, within three weeks after it is first torn up.

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#### ARTICLE X.

##### HOUSEMOVERS.

**1894. Housemovers to be licensed.]** No person or corporation shall engage in, or carry on the business of moving houses or buildings in the city or remove or attempt to remove any house or building from one place to another in the city, unless such person or corporation be licensed so to do in accordance with the provisions of this article.

**1895. Application—license fee.]** Any person or corporation desiring to secure a license as a housemover authorizing him or it to engage in, or carry on the business of moving houses or buildings from place to place in the city shall make application for such license to the mayor. Such application shall set forth the name of the applicant and if an individual his place of residence and if a corporation the names and place of residence of its officers; and such application shall also state the place or places of business of such applicant.

Upon the payment of a license fee of five dollars to the city collector and upon the execution and filing by such applicant of a bond such as is hereinafter provided for, the mayor shall issue or cause to be issued a license authorizing such applicant to engage in, or carry on the business of moving houses or buildings from place to place in

the city, in accordance with the provisions of this article and of the ordinances of the city, until the expiration of the license so issued.

**1896. Bond.]** Before the license provided for in the preceding section shall be issued such applicant shall execute a bond to the city in the sum of ten thousand dollars with sureties to be approved by the commissioner of public works conditioned for the faithful observance and performance of all the ordinances of the city relating to or concerning the moving of houses or buildings from place to place within the city, and conditioned further to pay all damages which may occur to any pavement, street, sidewalk, or to any pole, wire, cable, electrical appliance, and to pay all damages which may occur to the property of any person or corporation in the city caused by or arising out of any act or thing done by such licensed housemover in and about the moving of any house or building in the city or which shall be done by any licensed housemover under and by virtue of the authority given in this article.

**1897. No building to be removed without permit.]** No licensed housemover shall remove any house or building from one place to another within the city without a permit issued for that purpose. Such permit shall be issued by the commissioner of public works upon application made by a licensed housemover therefor, setting forth in such application a description of the house or building it is sought to remove, the location of such house or building, and the place to which it is desired to remove same, together with a description of the route over which it is intended to take such house or building in removing it to its destination.

**1898. Where building does not cross or go upon street—fee for permit.]** If the permission sought is to remove a house or building from one part of a lot to another part of the same lot or from one lot to another lot where both lots are owned by the same person, and where such house or building may be removed without crossing or going upon or along any street or public way or across or along the property of any person other than the owner of the lot from which such house or building is to be removed, a permit shall be issued for such purpose upon the payment by the applicant therefor to the commissioner of public works of a fee of one dollar.

**1899. Where building is to be removed along street—fee—passing through wires—deposit.]** Where the house or building sought to be removed is to be removed from one place to another in such a manner that the removal thereof shall necessitate the crossing or going upon or along any street, alley, or public way in the city, the applicant for such permit shall set forth the route along which it is desired to move such house or building and shall state whether in moving such house or building along, across, or upon such street or public way it will be necessary to pass any telephone, telegraph, trolley, or other electrical wire, cable, or conductor, whether owned, operated, or used by the

city or owned, operated, or used by any person or corporation under and by virtue of any legal authority.

If it shall appear to the commissioner of public works that the house or building to be removed cannot be so removed without interfering with, disturbing, or coming into contact with any such telephone, telegraph, trolley, or other electrical wire, cable, or conductor, no permit shall be issued by the commissioner of public works for the removal of such house or building along such route until the applicant therefor shall have made a deposit in the manner hereinafter specified of a sufficient sum of money to cover the cost of cutting, raising, or making such other disposition of such wires, cables, or electrical conductors as may be necessary to enable such house or building to pass along its route and also to cover the cost and expense of splicing and replacing any such wire, cable, or electrical conductor which it has been necessary to cut, raise or otherwise disturb.

1900. Amount of deposit where wires are cut or disturbed.] The amount required to be deposited in such case shall be deposited, in the case of wires or electrical conductors owned or used by the city, with the city electrician, and in the case of wires or electrical conductors owned or used by any person or corporation, with such person or corporation and such amount shall not exceed the estimated actual cost of cutting, raising, or making such other disposition as may be necessary of any such wire, cable, or electrical conductor and of splicing and replacing any such wire, cable, or electrical conductor which it has been necessary to cut or disturb in order to permit the passage of any house or building being removed. Such amount shall be approximated as near as may be in the case of city wires, cables, or other electrical conductors by the city electrician; and in the case of wires, cables, and other electrical conductors owned or used by any person or corporation such amount shall be approximated by such person or by some duly authorized officer of such corporation; and in the event of the amount so deposited being more than sufficient to pay the expense of cutting, raising, or making such other disposition as may be necessary and of replacing and splicing any such wire, cable, or other electrical conductor, any amount remaining unexpended shall be forthwith returned to the person who made such deposit.

1901. Where amount necessary to be deposited is in dispute—city electrician to decide.] In case a dispute shall arise between any person or corporation owning or using any such wires, cables, or other electrical conductors and any licensed housemover as to the amount of money necessary to be deposited in order to cover the cost and expense of cutting, raising, or making such other disposition of such wires, cables, or other electrical conductors and of splicing and replacing same, as hereinabove described, the city electrician shall determine such dispute and shall fix the amount necessary to be de-

posited, and his decision in such cases shall be final and conclusive upon both parties.

**1902. Permit to move house through wires—when issued—fee.]**

When the deposit hereinabove provided for shall have been made by a licensed housemover and satisfactory evidence of such fact shall be submitted to the commissioner of public works said commissioner shall issue a permit authorizing the removal of the house or building described in the application for such permit, along the route specified therein, upon the payment by such applicant of a permit fee of five dollars.

The permit issued shall state specifically the route along which such house or building is to be removed and the time during which the removal shall be carried on and completed, and the time so specified shall as near as practicable be such as will least interfere with or inconvenience the public or hinder, delay, or obstruct the business of the person or corporation owning or using any wires, cables, or other electrical conductors necessary to be cut or disturbed for the purpose of moving such house or building; and such permit shall impose such other conditions as are necessary and proper to protect the pavement of the street or public way or other property likely to be injured or damaged by the removal of such house or building.

**1903. Notice to be given when building is to pass through wires.]**

Whenever any licensed housemover engaged in removing any house or building shall find it necessary to move such house or building through or past wires, cables, or other electrical conductors owned and operated by the city or by any person or corporation and shall have secured a permit from the commissioner of public works for such removal in accordance with the provisions of this article, he shall serve notice in writing upon the person or corporation owning, using, or operating any such wire, cable, or other electrical conductor through which he desires to pass, specifying the time the house or building he is removing will reach such wire, cable, or other electrical conductor and the time at which he desires such wire, cable, or other electrical conductor to be cut or otherwise removed or disposed of so as to allow such house or building to pass: and such notice shall be served upon such person or corporation not less than twenty-four hours before the time at which it is desired to cut such wire, cable, or other electrical conductor or otherwise dispose of same.

**1904. Housemover not to cut or disturb any wires or electrical conductors—penalty.]** No licensed housemover by himself or by any servant, agent, or employe shall cut, remove, or otherwise interfere with or disturb any wire, cable, or other electrical conductor strung upon, across, or along any street or public way, whether such wire, cable, or other electrical conductor is used or operated by the city or by some person or corporation legally authorized to use, operate, and

maintain such wires, cables, or other electrical conductors; nor shall any such licensed housemover while engaged in moving any house or building through, by, or under any such wire, cable, or other electrical conductor, unreasonably delay or prolong the passing of such house or building or unreasonably or unnecessarily impede or obstruct the use of any such wire, cable, or other electrical conductor by the person or corporation owning, using, or operating same.

Any person violating any of the provisions of this section shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

**1905. General penalty.]** Any person violating any of the provisions of this article, shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

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#### ARTICLE XL

##### WATER MAINS.

**1906. Cost advanced by property owners.]** The commissioner of public works may extend water mains where the owners of the property, or persons desiring such extension, shall advance and pay into the city treasury a sum of money equal to the entire cost thereof; and whenever, upon a proper survey, it is shown that a permanent annual revenue of ten cents per lineal foot is being derived from such water mains so laid, then such money so advanced as aforesaid shall be repaid to the person or persons so advancing the same; Provided, however, if the money so advanced is not paid back within two years, interest at the rate of three and one half per cent per annum shall be allowed after the expiration of said two years, until paid.

**1907. Duty of commissioner.]** Whenever an ordinance is hereafter passed by the city council for the filling, grading, curbing and paving of any street, it shall be the duty of the commissioner of public works to ascertain whether the street or streets upon which such improvement is ordered contains a sufficient number of houses to pay a permanent annual rental to the city of ten cents per lineal foot for every foot of water main laid on such street or streets, and if the commissioner finds that such water main will pay such revenue to the city, he shall at once notify the city council as hereinafter provided.

**1908. Extension of water mains.]** It shall be the duty of the commissioner of public works, whenever he shall deem it necessary or advisable to lay or extend any water main in the city, and before he shall cause the same to be laid or extended to report to the city council the proposed location and extent of the same, together with the size

of pipe necessary or advisable to be laid, and the probable expense thereof. No water main shall be laid or extended by the commissioner of public works, unless upon an order of the city council directing the laying or extension of the same, fixing the location thereof, the size of the pipe to be used, and the maximum cost of the same; Provided, however, that nothing in this article contained shall be construed to apply to the laying or extension of water mains where provision shall have been made for paying for the same by special assessment, or where the cost of the same shall be paid by private individuals who shall by agreement wait for reimbursement until a permanent annual revenue shall have been derived therefrom, as herein provided, or to cases of repairing or relaying mains already laid, where the same shall have burst or otherwise become out of repair.

1909. Special assessment for water mains.] Whenever any special assessment shall be collected by or for the city for the purpose of laying or extending any water main within said city, there shall be repaid out of the moneys in the city treasury to the credit of the water fund, to the person to whom the special assessment receipt shall be given, or upon his order, upon production of the original receipt, the amount for which any such receipt was given (less the rebate previously paid, if any, and less ten per cent of the amount originally paid and for which such receipt was given), when from the surplus of the net income from the water rates not otherwise appropriated or pledged, there is in the city treasury sufficient money therefor, and when the city comptroller shall so certify; Provided, however, that no such money shall be repaid unless the permanent annual water rates derived by reason of the laying of such water main for which any such receipt was given, shall at the time of such proposed repayment, per annum, equal at least ten cents per lineal foot of main so laid and for which such special assessment was paid.

1910. Special assessment refund and water pipe extension certificates heretofore issued—refund.] For the purpose of providing a more equitable method wherewith to pay and discharge the water special assessment refunds and water pipe extension certificates heretofore issued by the city and now outstanding, the mayor and city clerk are hereby authorized and empowered to issue certificates payable out of the water fund, to an amount sufficient to retire all such certificates and refunds now outstanding. Provided, however, that no such water pipe extension certificate shall be taken up unless the pipe for the laying of which such certificate was issued is paying the revenue required by such certificate, and no such special assessment refund shall be taken up unless the pipe for the laying of which such special assessment was levied and paid is paying a permanent annual net revenue of at least ten cents per lineal foot of such pipe.

1911. Interest—maturity—form of refunding certificates—for what purpose certificates to be used.] Each and every of the certificates hereby authorized shall bear interest at the rate of three and one-half per cent per annum, from the date of its issue, payable annually, and shall mature thirteen years after the date of the certificate it cancels, or the date of the payment of the special assessment so refunded. Each and every of the certificates so issued shall bear date of the day of its issue and shall state the date of the certificate cancelled by it, or the warrant number of such special assessment, with the date of the payment thereof and the legal description of the property upon which such special assessment was levied. Such certificates shall be signed by the mayor and city clerk, and countersigned by the city comptroller, and impressed with the corporate seal of the city. Each of such new certificates issued to cancel a water pipe extension certificate, shall be for the amount of the original certificate it cancels, plus the unpaid interest, if any, accrued on the certificate so cancelled up to the date of such new certificate. Each of such new certificates issued to cancel a water special assessment refund shall be for the amount of the special assessment upon which such refund was issued, less the rebate previously paid, if any, and less ten per cent of such special assessment for the costs. Such certificate shall be payable at the office of the city treasurer. They shall be substantially in one of the forms following:

CITY OF CHICAGO.

No.....

.....19....

This certifies that there is due ..... the sum of ..... on account of the advancement ..... of money for the purpose of laying water pipe in ....., which said sum, with interest thereon at the rate of three and one-half per cent per annum from this date, will be paid to the bearer on ..... in accordance with the provisions of section 1910 and 1911 of the Revised Municipal Code of Chicago of 1905.

CITY OF CHICAGO.

By.....

*Mayor.*

.....

*City Clerk.*

(SEAL)

.....

*City Comptroller.*



CITY OF CHICAGO.

No. ....

.....19....

This certifies that there is due ..... on account of the refunding of special assessment on Lot ..... Warrant No. .... paid ..... for the laying of water pipe in ..... which said sum, with interest thereon at the rate of three and one-half per cent per annum from this date, will be paid to bearer on ..... in accordance with the provisions of sections 1910 and 1911 of the Revised Municipal Code of Chicago of 1905.

CITY OF CHICAGO.

By.....

*Mayor.*

.....

*City Clerk.*

(SEAL)

.....

*City Comptroller.*

Such certificates shall be used solely for the purpose of cancelling and retiring such of the water pipe extension certificates now outstanding as were issued for the laying of water pipes that are paying the revenue therein specified at the date of such cancellation, or for refunding ninety per cent of the money paid on special assessments for the laying of water pipe as provided for in Section 1672 of the Revised Code of 1897, and they shall be issued and delivered simultaneously with the surrender and cancellation of a like amount of the certificates now outstanding.

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## ARTICLE XII.

### GARBAGE AND ASHES.

1912. Unlawful to deposit on streets, etc.] It shall be unlawful for any person to cast, place, sweep, or deposit in any manner whatsoever in or upon any street, sidewalk, alley, park, public place, drain, sewer or receiving basin in the city, any paper, pasteboard, straw, excelsior, shavings, chips, sawdust, wood, rope, twine, wool, cotton, flax, hemp, jute, rubber, leather, ashes, cinders, soot, charcoal, coal, slag, dust, earth, sand, clay, mud, gravel, lime, shells, mortar, plaster, tar, hay, grass, leaves, weeds, grain, salt, hair, feathers, moss, shucks, bark, brick, stone, wire, nails, tacks, iron, tin, brass, copper, glass or

pottery, or any kind of garbage, refuse or offal, whether animal or vegetable; or any slops, suds, swill, brine, rinsings, dish-water, urine, dirty, foul, bloody or ill-smelling liquid; or any excrement, manure, carrion, dead fish, fowl or animal, or any fruit or vegetable, or any portion thereof; or any kind of dirt, rubbish, waste article, thing or substance whatsoever, whether liquid or solid, and whether of the same nature as the articles, things or substances herein specifically mentioned or not.

Provided, that this section shall not apply to the deposit of material under a permit authorized by any ordinance of the city; nor to goods, wares, or merchandise deposited upon any street, sidewalk, alley or other public place temporarily, in the necessary course of trade, and removed therefrom within two hours after being so deposited; nor to articles or things deposited in or conducted into the city sewage system through lawful drains in accordance with the ordinances of the city relating thereto.

**1913. Unlawful to deposit near streets, etc.]** It shall be unlawful for any person to cast, place, sweep, or deposit, anywhere within the jurisdiction of the city any substance, article or thing included in section 1912 of this article in such a manner that they or any of them may be carried and deposited, by the action of the sun, wind, rain or snow, into or upon any street, sidewalk, alley, park or other public place, or into or upon the waters of Lake Michigan, or any river, canal, public water, drain, sewer or receiving basin within the jurisdiction of the city.

Provided, that this section shall not apply to the deposit of material under a permit authorized by any ordinance of the city.

**1914. Vessels for garbage, ashes, etc.]** It shall be the duty of every owner or his agent or occupant of any house, building, flat, apartment or tenement in the city where persons reside, board or lodge, or where animal or vegetable food is prepared or served, and which is a private residence, to provide for such house, building, flat, apartment or tenement, and at all times to maintain in good order and repair a separate vessel or vessels for garbage; and a separate vessel or vessels for ashes, of the material, construction and capacity prescribed in section 1915 of this article and in number proportioned as follows:

For every house or building other than flat, apartment or tenement buildings one vessel for garbage and one vessel for ashes.

For every flat, apartment or tenement building, one of each such vessels for each floor, flat, apartment or story of such building; and if such floor, flat, apartment or story is occupied by more than five persons, then one of each such vessels for each additional five occupants.

It shall be the duty of every such occupant, tenant or person in

possession to cause to be deposited in said garbage vessel or vessels all garbage produced in or brought into said house, building, flat, apartment, tenement or dwelling place, as soon as the same is produced or brought therein. All miscellaneous waste produced in or brought into any house, building, flat, apartment or tenement shall be removed and disposed of by the person in possession, charge or control thereof at his own expense.

Provided, that this section shall not apply to hotels, or boarding houses, or restaurants in which more than twenty persons are fed daily. Ashes and garbage produced in such places shall be removed and disposed of by the owner or person in possession, charge or control of such place at his own expense, at such times and in such manner as the commissioner of public works may direct.

Any person or persons who shall wrongfully or unlawfully remove or carry away from its owner's premises any vessel or vessels for garbage, provided for in this section, shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

**1915. Dimensions and character of vessels.]** A vessel for garbage as prescribed and required by section 1914 of this article shall be water tight and made of metal with a close-fitting metal cover, and such vessel shall have a capacity of not less than fifteen nor more than twenty gallons, and shall be provided with suitable handles at the sides midway from top and bottom.

A vessel for ashes as prescribed and required by section 1914 of this article, shall be water tight and made of metal with a close-fitting metal cover, and such vessel shall have a capacity of not less than twenty nor more than forty gallons, and shall be provided with suitable handles at the sides midway from top to bottom.

**1916. Where kept.]** It shall be the duty of the head of every family, occupying or in possession of any house, building, flat, apartment, tenement or dwelling place in the city, which is a private residence, and for which a vessel or vessels for garbage, a vessel or vessels for ashes, or any of them, have been provided, to present or place, or cause to be presented or placed such vessel or vessels at some convenient place, to be designated by the commissioner of public works, upon or adjoining such premises, for the removal of the contents of such vessel or vessels, at such times and in such manner as the commissioner of public works may direct.

**1917. Contents of vessels.]** It shall be unlawful for any person to deposit in any vessel for garbage, as defined in section 1915 of this article, any article or thing but garbage, or to deposit in any vessel for ashes, as defined in section 1915 of this article any article or thing but ashes.

**1918. Removal of contents.]** It shall be unlawful for any person other than a health officer or a scavenger employed or licensed by the

city, or the owner, occupant, tenant or person in possession of the premises for which a vessel for garbage and a vessel for ashes or any of them has been provided, or their agents, employees or servants, to deposit any article or thing in such vessel, or to remove, displace, injure, deface, destroy, uncover or in any manner disturb such vessel or any portion of its contents.

**1919. Disposition of ashes.]** It shall be the duty of every person, or corporation occupying, operating or controlling any building or portion thereof in the city, which is heated by steam, hot air, or hot water, or in or about which combustibles are used or ashes produced, to keep in or about such building all ashes, cinders, and other waste arising from combustion and produced therein, and to remove or cause to be removed the same from such premises at his, or its own expense, at such times and in such manner as the commissioner of public works may direct; and not to use in connection with such building or portion thereof any vessel for ashes provided for domestic use.

Provided, This section shall not apply to any case where a vessel or vessels for ashes are required by the provisions of section 1914 of this article.

**1920. Vessels for garbage not for domestic use.]** It shall be the duty of every person or corporation occupying, operating or controlling any building or portion thereof not covered by section 1914 of this article to provide therefor, and maintain upon the premises a separate vessel or vessels for garbage, which shall be plainly marked in a conspicuous place "Not For Domestic Use," sufficient in number to carry out the purposes of this article and not to use for or in connection with the said building or portion thereof any vessel for garbage provided for domestic use; and every person or corporation shall remove, or cause to be removed, the contents of the vessel or vessels so provided as aforesaid, from such premises at his, or its own expense, at such times and in such manner as the commissioner of public works may direct.

**1921. Manure vaults.]** It shall be the duty of every person, or corporation occupying or controlling any lot, barn, stable, shed, building or place where horses, mules, cattle or swine, or any of them, are kept or fed, within any part of the city, to provide and maintain upon such premises a box or vault of suitable capacity to hold the manure produced or brought thereon; and such person or corporation shall place or cause to be placed in such box or vault all the manure produced or brought upon such premises, and shall remove or cause to be removed from such premises at his, or its own expense, the contents of such box or vault at least twice a week, and at such other times as the commissioner of public works or commissioner of health may direct.

It shall be unlawful for any person to place or cause to be placed any night soil or garbage in such manure box or vault.

No such box or vault shall be erected or maintained upon or above the surface of any alley or public way in the city. . If it shall be desired to construct any such box or vault in any alley or public way in such a manner as not to obstruct the use of such alley or public way, and so as not to be above the surface thereof, or to be maintained in any manner so as not to prevent the free and full use of the entire surface of such alley or public way, application for a permit for the purpose of constructing such box or vault in such manner shall be made to the commissioner of public works, such application setting forth the name of the applicant and giving a description and the dimensions of the box or vault it is proposed to construct. If said commissioner shall be satisfied that a box or vault such as the applicant desires may be placed in any such alley or public way without obstructing the public use thereof he shall upon the payment by such applicant of a permit fee of one dollar issue a permit to such applicant permitting the construction and maintenance of a box or vault such as is described in such application.

In case any such box or vault is to be placed in any alley or public way which has been or is about to be paved or improved such applicant shall be required by said commissioner to deposit with said commissioner a sum in an amount to be fixed by said commissioner, sufficient to cover the cost of restoring the surface of such alley or public way to as good a condition as it was in before being disturbed for the purpose of placing such box or vault and in a manner satisfactory to the commissioner of public works. When such work of restoration shall have been done in such manner the deposit so made shall be refunded to the person making same. If such work of restoration be not performed in a manner satisfactory to the commissioner of public works he is authorized to do or cause such work to be done and shall pay for the same out of the sum so deposited, returning any unexpended amount to the person depositing the same when such work is completed.

**1922. Definition of terms.]** In the construction and application of this article the word "garbage" shall be taken to include any and all rejected or waste household food, offal, swill, and carrion. The word "ashes," shall be taken to include all ashes of wood, coal, coke, and the residue resulting from the combustion of any material or substance, and soot, cinders, slag and charcoal. The words "miscellaneous waste" shall be taken to include dust, and all refuse, except excrement, and dead animals and parts thereof, and also except all articles and substances herein included under "garbage," "ashes," and "manure." The word "manure" shall be taken to include the excrement of all domestic animals and fowls, and stable bedding, and all hay, straw, shavings, grass, weeds, or leaves, which have been used for stable bedding.

**1923. Unlawful to sort fruit, rags, etc., on sidewalks.]** It shall be unlawful for any person or corporation to pick, sort, pack or unpack, fruit, flowers, vegetables, rags, paper, old iron, bottles or junk upon any street, alley, sidewalk or other public place in the city.

**1924. Unlawful to maintain stands, etc.]** It shall be unlawful for any person or corporation to erect, place or maintain in or upon any street, alley, sidewalk, or other public place in the city any fruit stand, lunch stand, lunch wagon, flower stand, bulletin board, trough for feeding horses, or any table, box, bin, rack, showcase, platform, or any other arrangement or structure for the display or sale of goods, wares or merchandise, or for the pursuit of any occupation whatsoever.

**1925. Penalty.]** Any person or corporation who shall violate any provision of any section of this article or who shall refuse, neglect or fail to comply with any or all of the requirements thereof, shall be fined not less than two dollars nor more than one hundred dollars for each offense, and such person, or corporation shall be deemed guilty of a separate and distinct offense for every day on which such person or corporation violates, refuses, neglects or fails to comply with any or all of the requirements of this article.

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## ARTICLE XIII.

### HOURS OF LABOR.

**1926. Eight hours—contract to provide for.]** Eight hours shall constitute a legal day's work upon all work performed under any contract entered into with the city of Chicago.

**1927. Eight hours—city employees.]** Eight hours of labor between six o'clock a. m. and six o'clock p. m. shall be and constitute a legal day's work for all employees performing manual labor for the city. The provisions of this section shall not be construed to apply to or govern the police or fire departments, or any department or workshop where constant operation is necessary; Provided, however, that in all cases of necessity or emergency, superintendents, foremen or others in authority are hereby authorized to work their employees such number of hours as such necessity or emergency may require. But for all labor performed in excess of eight hours in any one day such laborer or employee shall be entitled to and shall receive pay at the rate of time and one-half for all such labor performed.

## ARTICLE XIV.

## PUBLIC SEWERS AND DRAINS.

**1928. Charge of sewers and drains—cleansing, etc.]** All sewers and drains in any of the streets, alleys, avenues or public places in the city shall be under the charge of the department of public works, and they shall be kept in good order and condition, and clean and free from obstruction, and the commissioner of public works shall cause to be made such repairs thereof, and of the receiving basins, culverts, and openings connected therewith, as may from time to time become necessary.

**1929. Sewer connections—permit.]** The commissioner of public works shall prescribe the mode of piercing or opening any of such sewers or drains, and the form, size and material of the connections made therewith, and shall have authority to grant permission to make lateral connections with such sewers.

**1930. Sewer connections—indemnity.]** No connection shall be made with any public sewer or drain without the written permission of the commissioner of public works; nor shall any person drain from any point within the limits of the city, into the Chicago river or any of its branches, or into any slip connecting therewith, or into any canal or canals constructed under the authority of said city, without first obtaining a permit for such drainage from said commissioner of public works; and said commissioner is hereby authorized to grant such permits, and to exact a license fee therefor, to be fixed by said commissioner, which said license fee shall be equal to an amount sufficient to defray the expense imposed upon the city, in consequence of granting such permission. And any person making any connection or opening into any sewer or drain, or draining from any point within the city limits into the Chicago river or its branches, or into any canal or canals as aforesaid, without such permission, or in a manner different from the mode prescribed by said commissioner, shall be fined not more than fifty dollars for each offense and a further fine of twenty-five dollars for each and every day such unauthorized connection or opening shall continue.

**1931. Sewer connections—how authorized.]** The commissioner of public works may grant permission to persons to construct, in any street, alley or public way, at their own expense, sewers or drains, or to lay pipes to connect with any sewers or drains built in any of the streets, alleys or avenues in the city, charging a license fee therefor of five dollars in each case; but such permission shall not be granted except upon the agreement, in writing, of the persons applying therefor, that said work will be performed by a duly licensed drain layer, and that they will comply with the ordinances in relation

to excavating the streets; that they will indemnify the city for any damages or costs to which it may be put by reason of injuries resulting from neglect or carelessness in performing the work so permitted; and that no claim will be made by them or their successors in interest against the city, or for exemption from an assessment lawfully imposed for constructing sewers or drains in the vicinity of their property; and upon the further condition that the city council may at any time revoke and annul such permission, and direct such sewers, drains, or pipes to be taken up or removed.



## CHAPTER LIII.

### RAILWAYS.

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#### ARTICLE I.

##### DEPARTMENT OF LOCAL TRANSPORTATION.

**1932. Department established.]** There is hereby established an executive department of the municipal government of the city, which shall be known as the department of local transportation.

**1933. Office created.]** There is hereby created the office of local transportation expert. He shall be the head of the department of local transportation.

**1934. Appointment.]** The local transportation expert shall be appointed by the mayor by and with the consent and advice of the city council.

**1935. Bond.]** Said local transportation expert before entering upon the duties of his office shall furnish a bond to the city of Chicago in the sum of \$5,000, with such sureties as the city council shall approve, conditioned for the faithful performance of the duties of his office.

**1936. Assistants.]** The local transportation expert shall appoint according to law such assistants as the city council may by ordinance provide.

**1937. Office open for complaints—duties.]** The local transportation expert shall have an office in the city hall, which shall be open during business hours for the receiving of complaints concerning the service furnished by companies engaged in the business of local transportation, or concerning the failure of such companies to comply with the terms of their grants or with the general ordinances of the city applicable to such companies. It shall be the duty of the local transportation expert to investigate and consider all such complaints, and to take such action thereon as the facts may warrant. It shall also be the duty of the local transportation expert, without complaint from citizens, to investigate and keep himself and the committee on local transportation informed as to the kind, quality and sufficiency of the service furnished by the companies engaged in the business of local transportation in the city, and as to the needs for improvement of service, and the best means of bringing about such improvement.

It shall also be the duty of the local transportation expert to make special investigations or to procure for the city council or the committee on local transportation special information, relating to the subject of transportation, as may be ordered by the city council or said committee. It shall be the duty of the local transportation expert to attend all meetings of the committee on local transportation.

It shall be the duty of the local transportation expert to enforce all ordinances of the city relating to local transportation. It shall also be his duty to require companies engaged in the local transportation business to comply with the terms and provisions of their grants.

**1938. Attorney to advise.]** It is hereby made the duty of the corporation counsel to assign from his department to the service of the local transportation expert, such attorney or attorneys as may be needed for the proper conduct of prosecutions as contemplated by the foregoing section of this ordinance. It is also hereby made the duty of the corporation counsel to have on his staff one attorney who shall make a specialty of local transportation problems. Such attorney shall be assigned, on request, to advise the local transportation expert and the committee on local transportation, and to give them such legal assistance as they may need.

**1939. Annual report and estimate.]** The local transportation expert shall submit annually to the city council a report telling of the work of the department for the year, and making such recommendations and suggestions as he shall deem proper.

The local transportation expert shall prepare and submit to the comptroller, on or before the first day of February in every year, an estimate of the whole cost and expense of providing for and maintaining said department during the current fiscal year, which estimate shall be in detail and shall be laid by said comptroller before the city council with his annual estimate.

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## ARTICLE II.

### STREET RAILWAYS.

**1940. Track laying—permit.]** It shall not be lawful for any person or corporation to lay any street railroad track or tracks in or upon any of the streets, avenues, alleys or other public places within the city, without first procuring a permit therefor, in writing, from the commissioner of public works.

**1941. Permit—contents—fee.]** Such permit shall be issued by the commissioner of public works in accordance with the terms of the respective ordinances under which such tracks may be authorized

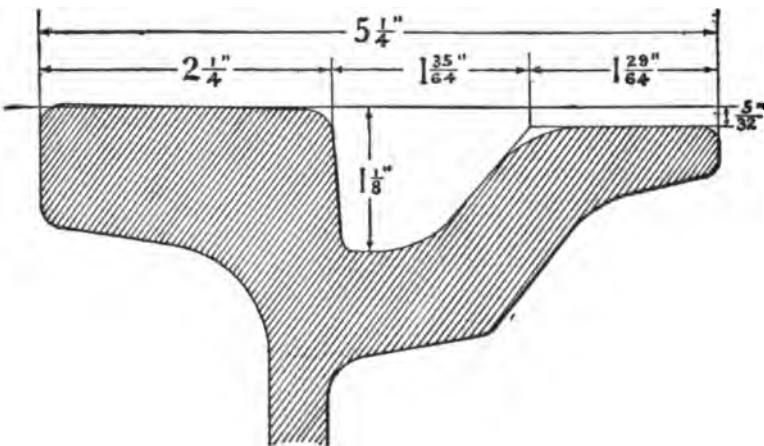
to be laid, and shall specify in full the terms and conditions under which the same shall be constructed. For every such permit there shall be paid to the city the cost of issuing the same and the expense of causing the construction under such permit to be superintended by the department of public works, the cost of such issuance and superintendence to be computed and fixed by the said commissioner.

**1942. Penalty.]** Any person or corporation laying any track or tracks in violation of any provision of this article or without complying with the terms of any permit issued hereunder shall be fined not less than one hundred dollars nor more than two hundred dollars for each offense and be further fined one hundred dollars a day for every day any such track or tracks shall remain in any such street, avenue, alley or other public place, where the same shall have been laid without such permit or in violation of the terms thereof.

**1943. Gauge of railway.]** The gauge of all street railroads in the city, now laid or hereafter to be laid, is hereby fixed at four feet eight and one-half inches.

**1944. Rails—form of, etc.]** On all streets, alleys, bridges, viaducts or other public grounds of the city which have been or shall hereafter be improved with granite, asphalt, macadam, brick, cedar block, creosoted block, or other artificial pavement of a permanent character, all street railway rails which shall hereafter be laid shall be grooved rails as shown on the following profile of a section taken crosswise of the rail, and marked "Exhibit A" and in accordance with the following specifications:

EXHIBIT "A."



The guard rail shall be one and twenty-nine sixty-fourths inches

wide; the groove shall be one and thirty-five sixty-fourths inches wide, and the tread shall be two and one-quarter inches wide on the horizontal, making the width of the rail five and one-quarter inches on the horizontal. The depth of the groove shall be one and one-eighth inches and the guard shall be five thirty-seconds of an inch lower than the tread. The web and base of the rail shall be in proper proportion to its height and such dimensions shall be determined with reference to the character of the pavement and other features of the roadway where the rails are laid.

In all cases where any street, alley, bridge, viaduct or other public place of the city is now being improved or shall hereafter be improved with granite, asphalt, macadam, brick, cedar block, creosoted block or other artificial pavement of a permanent character, any person or corporation owning, operating, controlling or leasing any street railway tracks thereon, the rails in use upon which said street railway tracks are of any pattern other than that known as the grooved rail pattern and referred to in this section, shall within thirty days after notice from the commissioner of public works remove such rails and replace them with grooved rails of the pattern referred to herein. (It shall be the duty of the commissioner of public works to give such notice to any such person or corporation at such time before the completion of the work under the contract for such improvement as in the discretion of such commissioner may seem best.) The mode of laying said rails so as to carry out the provisions of this section and the form of the rail so laid shall be under the supervision and subject to the approval of the commissioner of public works.

**1945. Track not to obstruct vehicles—repair of streets.]** Every person or corporation operating a street railroad in the city shall keep the tracks of his or its road in such a condition that such tracks shall not at any time be elevated above the surface of the streets on which they are laid, and so that vehicles can easily and freely at all times cross such tracks at all points, in any direction, without obstruction; they shall also keep in good repair such portions of the streets as they severally have agreed or may agree with said city so to keep in repair.

Whenever, hereafter, any person or corporation, owning or operating any street railway track or tracks, in, upon, along or across any of the streets, avenues, alleys or public places within the city, shall be required to pave or repave any part of any public street, avenue or alley, or shall proceed to pave or repave any part of any such public street, avenue or alley, it shall be unlawful for any such person or corporation to lay down or place any pavement or other material across the top of any sewer, manhole, or other opening necessary to reach such sewer. If in the prosecution of such work it shall be necessary or desirable to raise the grade of such pavement or of such street, it shall be the duty of the person, or corporation doing

such work to bring the top of such sewer, manhole, or other opening up to the level of the new grade thus established so that the top of the cover of such manhole or other opening shall be flush and level with the surface of such pavement when completed.

**1946. Enforcement of above provision.]** The commissioner of public works shall see that the provisions of the preceding section are complied with, and shall require all employes of his department to report to said commissioner all cases that come to their knowledge of any neglect or failure of any such person or corporation so to comply.

**1947. Failure to comply—notice.]** Whenever any such person or corporation operating any such street railroad shall neglect or fail to comply with the provisions of sections 1944 and 1945, the commissioner of public works shall cause a notice to be served upon such person or corporation, requiring the track or tracks or part of track or tracks, or the portion of the streets required to be kept in repair by such company or companies mentioned in such notice, to be put in the condition required by said sections, within five days after the service of such notice.

**1948. Failure to comply—penalty.]** Any such person or corporation who shall neglect or fail to put his or its track or tracks or part of track or tracks, or any portion of the streets mentioned in such notice, in the condition required by sections 1944 and 1945, within five days after the service of such notice, shall be fined not less than one hundred dollars and not more than two hundred dollars for each offense. Every day such neglect or failure shall continue after the expiration of such five days shall constitute a separate and distinct offense.

**1949. Conductor on each car.]** It shall be unlawful for any person or corporation operating any street railway in the city to suffer any car to be run on any of the streets, or any portion or part thereof, in the said city at any time, unless the same shall be in charge of and under the control of some competent conductor, who shall be a person other than the driver of said car. It shall be unlawful for any such person or corporation to suffer or permit to be attached to any electric motor car and run on any of the public streets or ways of the said city more than one car, commonly known as a "trailer." For each and every violation of any of the provisions of this section, any such person or corporation shall be fined not less than ten dollars nor more than one hundred dollars.

**1950. Stopping in front of fire engine house prohibited.]** It shall be unlawful for any person or corporation engaged in the occupation of operating street cars within the city, or any person in charge of any such street car whether operated for the conveyance of passengers, mail or other commodity or thing, to permit or allow any such car to stand in front of or to permit any passenger to get on or

off from any such car in front of any fire engine house within the city.

For every violation of the provisions of this section the person or corporation violating the same shall be fined not less than twenty-five dollars nor more than fifty dollars.

**1951. Watchman at steam railway crossings.]** It shall be the duty of every person or corporation operating cars by electricity as a motive power within the corporate limits of the city to place a watchman at each intersection of a steam railway track. For every violation of the provisions of this section, such companies, or any of them, shall be subject to a penalty of not less than ten dollars nor more than twenty-five dollars.

**1952. Cars to be numbered—signal lights.]** All street railway cars shall be distinctly numbered both inside and outside, and the cars of different routes running in part on the same track shall be distinguished by a difference of color, so far as practicable, and shall have appropriate lettering to indicate the streets or routes upon which the same run; and in the night shall, in all cases, be sufficiently distinguished by the form or color of the signal light, and have signal lights in the sides as well as front, so as to prevent the cars of different routes being mistaken for each other. Every such car while being operated at night shall be provided with a brightly lit headlight which shall be on the front of each car where operated separately or where cars are operated in a train, upon the front of the front car of such train.

**1953. Right of way—penalty for obstructing.]** Street railway cars shall have the right to the track as against any person, carriage, vehicle or incumbrance put, driven or being thereon with a view to delay or embarrass the progress of the cars; and no person shall obstruct such tracks, or obstruct or prevent the cars from running or progressing thereon by placing, driving or stopping or causing to be driven at a slow pace or stopped, any vehicle or other obstacle in, upon, across, along or near such track in the way of any car, if there shall be an opportunity to turn off, after being notified by the ringing of the car bell, under a penalty of five dollars for each offense.

**1954. Use of damaged car prohibited.]** No person or corporation shall operate or run upon or along any street railway, any car which has a broken window, door, step or insufficient fastening, or is otherwise damaged, longer than during the day upon which such break, insufficient fastening or damage may occur.

**1955. Street sprinkling—penalty.]** Every person or corporation operating or maintaining street railway tracks located in and along the different streets within the city shall, from and after the first day of April and during and until the first day of December in each and every year, keep moistened and well sprinkled with water in a

manner satisfactory to the commissioner of public works the several streets upon and along which they, or either of them may operate or maintain his or its respective railway tracks.

Any person or corporation violating any of the provisions of this section shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense, and each and every day on which any such person or corporation shall neglect, fail, or refuse to comply with any of the provisions of this section shall constitute a separate and distinct offense.

**1956. Removal of street accumulations.]** Every person or corporation at any time operating railway tracks on and along the surface of any of the streets, avenues or alleys of the city are hereby respectively required to remove all dirt, snow and other accumulations from so much of the surface of each street, avenue, or alley now or hereafter containing any of their railway tracks, as lies between the two outermost rails of such tracks, and also from such additional surface in width as may be prescribed in any street railway ordinance relating to or affecting any such street, avenue or alley and shall respectively clean such portions of said street, avenue or alley and remove entirely from and out of such street, avenue or alley all such dirt, snow and accumulations at least once in each week, and as much oftener as the commissioner of public works shall in writing direct; such dirt, snow and accumulations to be removed and disposed of in accordance with the ordinances of the city in relation to the removal of street cleanings, and subject to the rules and regulations of the department of public works in that behalf.

**1957. Penalty for failure to remove, etc.]** Any person or corporation operating a street railway upon or along the surface of any street, avenue or alley in the city, who shall refuse or neglect to clean any part of a street, avenue or alley as required by the last preceding section hereof, shall be fined not less than fifty dollars, nor more than two hundred dollars for each offense.

**1958. Car heating—comfort and safety of passengers.]** It shall be unlawful for any person or corporation owning, leasing or operating any street railway car, or other vehicle for the transportation of passengers for hire, within the city, to permit any car or other such vehicle to be in use or be operated on any of the public streets or ways of said city unless the temperature within such car be maintained at not lower than fifty degrees Fahrenheit; nor unless such car shall be clean, disinfected and so ventilated as to be free from foul or vitiated air; nor unless such car contains a standard Fahrenheit thermometer, in good order, securely fastened to the wall of the car, near the center thereof, on the opposite side thereof from the stove or heater, if there be one, and so placed as to give the average temperature of such car and be conveniently visible for examination

by passengers thereon; nor unless there shall be maintained in such car, in a place conveniently accessible to passengers, a copy of this section, so posted that it may be conveniently read by the occupants of the cars, together with a statement that passengers are invited to report violations thereof to the commissioner of public works, at the city hall; nor unless the track upon which such car is operated and the car itself are in such condition as to insure and provide the safe, convenient and comfortable transportation of its passengers, without unnecessary noise or jolting and without danger to their safety and comfort.

The provisions of this section as to the maintenance of a temperature of at least fifty degrees and with regard to thermometer and the posting of copies of this section shall not apply to that class of cars now known as "grip cars." (Note: See Supplement.)

**1959. Penalty.]** Any person, or corporation who shall be guilty of violating any of the provisions of the preceding section shall be fined not less than twenty-five dollars nor more than one hundred dollars for each car operated in violation thereof and each day of the operation of such car shall be considered a separate offense.

**1960. Protection from inclement weather.]** Every person or corporation owning, operating or controlling street railways in the city of Chicago shall during the months of November, December, January, February, and March in each year equip all motors or grip cars and electric cars at the front end with such an inclosure as shall protect the gripmen, conductors and passengers using the front platform of such cars from severe and inclement weather, rain or snow.

**1961. Penalty.]** Every person or corporation owning, operating or controlling any street railway in the city who shall neglect or refuse to comply with the provisions of section 1960 shall be subject to a penalty of not more than fifty dollars nor less than ten dollars for each and every day and for each and every car so used and operated in violation of the provisions of section 1960.

**1962. Stoppages—where made.]** Street cars shall stop to receive and to let off passengers at the intersections of streets, and in such manner as when stopped not to interfere with the travel on cross streets, and in blocks more than five hundred feet in length they shall stop, when so desired, to receive and to let off passengers at the middle of such blocks. Each team of horses hitched to a street car shall have a bell or bells attached to them. Rules regulating the running of cars and stopping for passengers shall be posted in a conspicuous place in each car, and shall be in letters of such size as to be easily read from any part of such car.

**1963. Fenders.]** Every person or corporation controlling, operating, or owning any street railway in the city shall equip and provide each and every car used on such street railway with fenders of steel



and of the basket kind, which such fenders shall be substantially attached to the front end of such car so as to guard passengers or pedestrians from being injured or thrown under the wheels of the car in case of a collision or other accident; provided, however, that where such cars are operated in trains or where such car is attached to a grip car or other car such fender need only be provided upon the grip car or front car of such train.

**1964. Operating without fenders prohibited—penalty.]** No person or corporation shall operate or use or cause to be operated or used upon any street railway in the city any car which is not equipped and provided with fenders of steel and of the basket kind, in such manner as is provided for in and by the preceding section, under a penalty of not less than twenty-five dollars nor more than one hundred dollars for each offense; and each and every day on which any such car shall be operated or used in violation of the provisions of the preceding section shall constitute a separate and distinct offense.

**1965. Wire guards on inner side of car—penalty.]** Every person or corporation owning, operating or controlling any street railway within the city shall place or cause to be placed on all open street railway cars, either motor, grip, electric or passenger cars, a wire guard or other suitable device to prevent passengers from entering or leaving cars from the side of such car which is nearest to any street railway track adjoining the track upon which such car is being operated. Every such person or corporation shall also place a wire guard or other suitable device on the outside of all such cars to protect passengers from falling under the wheels. Any person or corporation violating any of the provisions of this section shall be fined not less than fifty nor more than two hundred dollars for each offense, and each day on which any such person or corporation operates a street railway car in violation of the provisions of this section shall be deemed a separate and distinct offense.

**1966. Sand boxes on cars.]** It is hereby made unlawful for any person or corporation to operate any grip or motor car, or cause any grip or motor car to be operated, along any street railway tracks unless such grip or motor car is equipped with a sand box well filled with sand and so placed as to be available in stopping the car in case of danger.

**1967. Penalty.]** Any person or corporation violating any of the provisions of section 1966 shall be fined not less than twenty-five dollars and not more than one hundred dollars for each offense.

**1968. Brakes on cars.]** It shall be unlawful for any person or corporation owning, controlling, or operating any street railroad in the city to run over or upon its tracks any train of cars without having each and every car composing such train equipped and provided with an efficient brake of such style and pattern that such brake on

each of said cars may be operated from the motor or grip car, so that all cars in such train may be directly controlled and managed, and the train thereby promptly stopped by the motorman or gripman.

**1969. Penalty.]** Any person or corporation violating any of the provisions of section 1968 shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

**1970. To stop at bridges, grade crossings, etc.]** Every conductor, gripman, motorman, or other person having charge of any street car in operation upon any street railroad in this city, shall, when such car is approaching a grade crossing of any steam railroad, or when approaching a swing or draw bridge in use as such, bring such street car to a full stop at a point one hundred feet from such crossing or bridge, and shall then cause such street car to approach such crossing or bridge at a rate of speed not exceeding two miles per hour: Provided, however, that if at any such point one hundred feet from such crossing or bridge the tracks of any such street railroad are laid at an incline which departs more than five per cent from the horizontal plane, the point at which such full stop shall be made shall be at the point, more than one hundred feet from such crossing or bridge, where such incline begins. Every such person having charge of any such street car shall also, when approaching any cross street occupied by street railway tracks which intersect with those on which such street car is being operated, bring such car to a full stop before arriving at and within ten feet of the nearest intersection line of such cross street.

**1971. Penalty.]** Any person or corporation owning or controlling any such street car and any agent, servant, or employe of any such person or corporation owning or controlling any such street car so operated, who shall permit, cause or allow any such street car to be operated in violation of section 1970 shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

**1972. Refund of fare.]** Any person or corporation operating street cars within the city, in the event of a break down or delay caused by any act or neglect of such person or corporation shall, on demand, refund to any passenger of such street car, after such car has been delayed for a period of ten minutes, the fare collected from him, or the conductor or collector of fares upon such street car shall issue and give to such passenger a coupon or ticket good for one fare on any of the street cars operated by such person or corporation within the city.

**1973. Penalty.]** Any person or corporation operating street cars, within the city, violating the provisions of section 1972, shall be fined not less than fifty nor more than two hundred dollars for each offense.

**1974. Rate of fare—continuous trip—transfer.]** The rate of fare

to be charged by any person or corporation owning, leasing, running or operating street cars or other vehicles for the conveyance of passengers on any street railway within the limits of the city for any distance within the city limits shall not exceed five cents for each passenger over twelve years of age, and half fare for each passenger over seven and under twelve years of age, for one continuous trip, except when such street cars or other vehicles shall be chartered for a specific purpose. And, at any point where any line of any street railway owned, leased or operated by any person or corporation does now or shall hereafter, within the city, join, connect with, cross, intersect or come within a distance of two hundred feet of any other line of street railway owned, leased or operated by the same person or corporation, any passenger who shall have paid his fare on any street car or other vehicle run or operated on such first mentioned line shall be entitled to demand and receive from the person or persons in charge of such street car or other vehicle upon which he has so paid his fare, a transfer ticket, which transfer ticket shall entitle such passenger, without further charge, to be carried on any other one line adjoining, connecting, crossing and intersecting, as aforesaid, and owned, leased or operated by such person or corporation, for a continuous trip of any distance within the city, if used within one hour after the same is issued at the point or place for which such transfer ticket was issued. Any person, or corporation owning, leasing, running or operating street cars or other vehicles for the conveyance of passengers, on any street railway within the limits of the city, by virtue of any assignment, transfer, sale, lease or operating agreement to such person or corporation from another person or corporation, of rights, privileges or franchises granted to and acquired by or vested in such other person or corporation, pursuant to authority granted for that purpose by any statute of the State of Illinois or by any ordinance of the city, shall be under the same obligation to issue transfer tickets to, and receive and honor transfer tickets from, passengers as such grantor or lessor would be under obligation to issue, receive and honor under the foregoing provisions of this section, if such grantor or lessor were operating street cars or other vehicles for the conveyance of passengers by virtue of such statute or ordinance without having so assigned the same and every such lessor or grantor shall in all respects as to the obligation to issue, receive and honor transfer tickets, be in the same position as if such grant, sale, lease or agreement had not been made.

1975. Notice of ordinance in car.] Every car or other vehicle subject to the provisions of this ordinance shall be provided with two or more notices containing substantially so much of the last preceding section as relates to transfer tickets. Such notices shall be easily legible and shall be conspicuously posted on the inside of each such car.

**1976. Violation of ordinance.]** For each and every violation of the provisions of the two last preceding sections, the person or corporation owning, leasing or operating such street cars or other vehicles within said city shall be fined not less than fifty dollars nor more than two hundred dollars.

**1977. Penalty.]** Every such person or corporation owning or operating street cars shall be liable to a penalty of fifty dollars for any violation on his or its part of any provision of this article; and any conductor, driver or collector of fares violating any provision of this article shall be liable to a penalty of not less than five dollars for each offense.

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### ARTICLE III.

#### STEAM RAILWAYS.

**1978. Speed of trains.]** No railway company shall by itself, agents or employes, run any passenger train upon or along any railroad track within the corporate limits of the city at a greater rate of speed than ten miles an hour; nor shall any such corporation by itself, agents or employes, run any freight car or cars upon or along any railroad track within said city at a greater rate of speed than six miles per hour except as is hereinafter otherwise provided. The provisions of this section shall not apply to such trains or cars while running or being operated upon railroad tracks elevated above or depressed below the surface of the streets crossing or adjacent to such tracks in accordance with the terms of any city ordinance requiring such elevation or depression.

**1979. Stopping at crossings—limitation.]** No railway company, railroad engineer, train conductor or other person shall cause or allow any locomotive engine, car or cars or train of cars, to stop in or remain upon any street and railroad crossing within said city where such crossing is at the street grade, for a longer period than five minutes at any one time. Provided, however, that in case a collision shall take place at any of such crossings aforesaid, reasonable time shall be allowed to remove any obstruction that may be caused thereby.

**1980. Street crossings—obstructions.]** Should any such street and railroad crossing in said city be and remain occupied and obstructed in whole or in part by any train of railroad cars for and during the period of five minutes, it shall be the duty of every railway company upon whose line of road such obstruction may occur, their agents or employes, on or before the expiration of said five minutes,

when from any cause the entire train cannot be propelled or removed to any one side of any street occupied and obstructed as aforesaid, to cause such cars as may be on or near such crossing to be uncoupled, and some one division of the train as thus made removed from off such street and railroad crossing in such manner as to leave such street entirely free and unobstructed five minutes, and such train, when again coupled, shall be removed forthwith from off any such crossing.

**1981. Lights at night.]** Every locomotive engine, railroad car or train of cars running in the night time on any railroad track in the city, shall have and keep, while so running, a brilliant and conspicuous light on the forward end of such locomotive engine, car, or train of cars. If such engine or train be backing, it shall have a conspicuous light on the rear car or engine, so as to show the direction such car is moving.

**1982. Loading and unloading on streets—switch-house.]** No person or corporation owning or operating steam railroad cars shall be allowed to deposit or place in the street, any lumber or other material, nor shall they load or unload any car from the street, nor erect or maintain any switch-house or other building, upon any street, highway or alley within the city.

**1983. Whistles—use limited.]** No railroad company shall cause or allow the whistle of any locomotive engine to be sounded within the city, except necessary brake signals, and such as may be absolutely necessary to prevent injury to life and property.

**1984. Bells to be rung.]** The bell of each locomotive engine shall be rung continually while running within said city, except locomotives while running upon the railroad tracks situated east of Indiana avenue, on the shore of Lake Michigan, between Twenty-second street and Park row in said city, and except locomotives while running upon those portions of railroad tracks which have been elevated; in the case of both of these exceptions no bell shall be rung or whistle blown, except as signals of danger.

**1985. Signboards at entrance of city.]** Every person or corporation operating a steam railroad within the city, shall erect at the point where such railroad enters the city, a signboard, having thereon the words "stop speed," "ring bell," legibly painted thereon, and keep the same so erected.

**1986. Furnish employees with copy of ordinance, etc.]** Every person or corporation owning or operating a steam railroad within the city shall furnish each engineer and train conductor employed thereon a certified or printed copy of this article.

**1987. Steam—escape of prohibited.]** No person in charge of any locomotive engine shall cause or allow the cylinder cock or cocks, safety valve or other valves of any locomotive engine to be opened so

as to permit steam to escape therefrom at any time while running upon or along any railroad track where the engine is within one hundred feet of any street or railroad crossing or viaduct; Provided, however, that when any such engine shall be standing at any such place in said city, and for six revolutions of the driving wheel after being put in motion, the said cocks may be opened for the purpose of allowing condensed steam to escape.

**1988. Street—obstruction by empty car.]** Any person or corporation owning or operating steam railroad cars within the city, who shall by themselves, their agents or employes, or any agent or employe of any such person or corporation who shall cause or allow any empty railroad car or cars to be detached from any locomotive engine and left to remain upon any street or sidewalk and railroad crossing within said city, for a longer period than five minutes, shall be fined in the sum of ten dollars for each offense and every consecutive five minutes thereafter that any such railroad car or cars detached as aforesaid shall be so permitted to remain on such street, sidewalk or railroad crossing shall constitute a separate and distinct offense.

**1989. Shunting of cars unlawful.]** It shall be unlawful for any person or corporation to drive or shunt any passenger or freight cars across any public street or highway at the street grade without an engine attached to such car or cars; every person or corporation violating any of the provisions of this section shall be fined not less than ten dollars and not more than one hundred dollars for each offense.

**1990. Bumping posts at terminus.]** Every person or corporation owning or operating any railroad track, switch, side track, or turnout on which cars may be operated or moved by steam power, is hereby required to establish and maintain substantial bumping posts or other suitable obstruction at the end of each such track, to prevent the cars from being hurled, driven or pushed from such track.

Any person or corporation violating any of the provisions of this section shall be fined not less than ten dollars and not more than one hundred dollars for each offense, and each day after the first conviction that any track situated as aforesaid shall be permitted to remain without such bumping post shall constitute a separate and distinct offense.

**1991. Flagmen at crossings.]** Every person or corporation owning or operating a steam railroad whose track or tracks cross or intersect at the street level any of the streets in the city, east of the west line of Western avenue, or north of the south line of Thirty-ninth street, and also at all crossings of street or horse railways shall station, keep and maintain at all times at their own expense, at each and every such street and railroad crossings, a flagman, whose duty it shall be to signal persons traveling in the direction of any or either of the crossings and warn them of the approach of any locomotive engine, or any impending danger.

**1992. Making up trains—transfer, as between tracks.]** No train of a greater length than seven hundred feet shall be moved for the purpose of transferring such train or any part of it, to another or opposite, or adjoining track or tracks in making up trains or distributing the same; Provided, that no such train or trains shall be composed of more than twenty cars. Any person or corporation who shall violate any of the provisions of this section, shall be fined for the first violation one hundred dollars, and for each succeeding violation the sum of two hundred dollars. Provided the provisions of this section shall not apply to trains while running or being operated on railroad tracks which are elevated above or depressed below the surface of the streets crossing, or adjacent to, such tracks, in accordance with the provisions of any city ordinance requiring such depression or elevation.

**1993. General penal clause.]** Any person or corporation owning or operating any steam railroad within the city who shall by him or itself, or by or through any of his or its agents, servants or employees, or any other person, violate or fail to observe any of the foregoing provisions of this article, shall for each violation or failure to observe the same, be fined not less than twenty-five dollars nor exceeding one hundred dollars.

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#### ARTICLE IV.

##### INCLOSING WALLS OR FENCES.

**1994. Walls or fences to be constructed—gates and signals.]** Every person or corporation owning, leasing or operating a steam railroad within the city, shall, within such time as may be prescribed by the city council, construct, or cause to be constructed, on each side of its tracks, and in such place with reference thereto as the city council shall direct, except where public streets shall intersect or cross the same, substantial walls or fences of such material, design, proportion and height as shall be determined and approved by the mayor and commissioner of public works, and shall erect and maintain gates and signal bells and other safety appliances, operated from towers, or by other reliable means, satisfactory to the mayor and commissioner of public works, for the purpose of giving due and timely warning of the approach of trains, cars or engines at all such street and public crossings within the city, as may be designated by the city council, which gates, bells and other safety appliances shall be of such material, kind, design and proportion as shall be satisfactory to the mayor and commissioner of public works. Such gates, bells and other safety appliances and devices when erected or installed, shall be

maintained and operated by competent attendants in charge thereof at all hours of the day and night, and whenever two or more lines of railroad tracks shall run upon a common right of way, or parallel to and near each other, along or across any street, alley or public place, the mayor and commissioner of public works shall have the right to provide that gates shall be constructed which shall inclose all or any number of such parallel tracks, which gates, so inclosing such parallel tracks shall be operated simultaneously as to all such tracks so inclosed. And all persons or corporations owning, operating or leasing any railroad in said city shall also sufficiently light all portions of their tracks crossing any street, alley, park or public or private way, in such manner and at such places as shall be satisfactory to the mayor and commissioner of public works.

**1995. Reservation of rights.]** Nothing herein contained or no act of any person or corporation by reason of the provisions of this article shall be held, or construed to be in the nature of a contract between the city and any person or corporation owning, controlling or operating any railroad, nor shall any provision of this chapter be construed to release any person or corporation from any obligation now existing or which may hereafter be imposed by the city to construct or build viaducts, to raise or lower their tracks, to construct sub-ways or to abolish grade crossings at any or all streets within said city when ordered so to do by the city council, and nothing herein shall be construed to create any obligations upon the part of any railroad company to construct any viaduct, or to create any new liability against any railroad, except as provided by the terms of this article. And nothing in this article contained shall commit the city to any permanent plan or system for the operation of railroad cars, engines or trains, or the protection of the public on streets or at street crossings, or the regulation and control and supervision of railroad tracks, but the city reserves the right to alter, amend or repeal any provisions herein contained, and to exercise full control and supervision over the operation of all railroads within the city.

**1996. Penalty.]** Any person or corporation owning or operating any steam railroad, who shall by himself or itself or by his or its agents or employes, violate, or fail, or neglect to observe, any of the provisions of this article shall, for each violation thereof, or for each train or engine which shall be run in conflict with the provisions of this article, be fined not less than fifty dollars nor exceeding two hundred dollars.

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#### ARTICLE V.

##### MISCELLANEOUS PROVISIONS.

**1997. Lights at crossings.]** Every person or corporation owning



or operating any steam, elevated or street railway, whose track or tracks cross or intersect at, above or below grade any of the streets within the city, shall and they are hereby required to provide at their own expense proper and sufficient lights and care for the same at all such crossings or intersections. Such lights shall be of such kind as may be approved by the commissioner of public works.

**1998. Penalty.]** Any such person or corporation failing to comply with the provisions of the last preceding section shall be fined not less than ten dollars nor more than one hundred dollars for each offense, and each day during which any crossing or intersection situated as aforesaid shall be permitted to remain without such lights after the first conviction shall constitute a separate and distinct offense.

**1999. Changing from steam to electric power prohibited.]** No person or corporation operating a railroad by steam power shall hereafter operate the same by electric power, either by the overhead contact system or otherwise, within the city, without first obtaining authority and permission therefor from the city council.

**2000. Electric wires, etc., prohibited without permit.]** No person or corporation operating a street or other railroad shall hereafter erect any poles or string wires thereon, along, upon or across any public street, alley, highway, or other public place in the city for the purpose of conveying an electric current to operate its railroad cars, unless it has obtained permission and authority from the city council for that purpose.

**2001. Penalty.]** Any person or corporation violating any of the provisions of the two preceding sections of this article shall be fined not less than one hundred dollars nor more than two hundred dollars for each offense, and each day such poles or wires shall be maintained in violation of either of the two preceding sections after the first conviction shall constitute a separate and distinct offense.

**2002. Electrolysis.]** Every person or corporation operating, owning, or controlling any surface or elevated railroad or any street railway within the city, upon which cars are now or hereafter operated by electricity as a motive power, with a grounded return circuit for conveying the electricity, shall install and maintain a metallic return circuit of such cross section and conductivity for conveying the electricity so used as a motive power, that the maximum difference of potential will not at any time exceed one volt between any part of such metallic return circuit and any water pipes, gas pipes, or other metals not installed for the purpose of forming a part of such metallic return circuit, and that there will not be a variation in difference of potential exceeding one half volt between any two measurements made at the same time at points along and upon said metallic return circuit within a distance of three hundred feet or less from each other.

Such metallic return circuit shall be installed and maintained in accordance with the provisions of the general ordinances of the city.

**2003. Penalty.]** Every person or corporation who violates the terms of the preceding section, or who fails to comply therewith, shall be fined not less than one hundred dollars, nor more than two hundred dollars for each offense, and such person or corporation shall be deemed guilty of a separate and distinct offense for every day during which such person or corporation violates or fails to comply with any or all of the requirements of the preceding section after the first conviction.

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#### ARTICLE VI.

##### ELEVATED RAILROADS.

**2004. Cars to be heated—penalty.]** All persons or corporations owning or operating any passenger cars upon or along any elevated railroad within the city shall cause such cars to be heated sufficiently to make them comfortable for the transportation of passengers at all times while in operation during the months of October, November, December, January, February, March, and April of each year.

Any person or corporation failing to comply with the provisions of this section shall be fined not less than ten dollars nor more than one hundred dollars for each car operated in violation thereof, and each day of the operation of such car shall be considered a separate offense.

**2005. Shunting of cars prohibited.]** No person or corporation owning or operating any elevated railway within the city shall allow or permit any of the cars owned or operated by him or it to be shunted or run down inclines from the elevated structure to the surface of the ground, unless such cars are under the absolute control of a competent motorman or engineer, or person acquainted with and competent to operate the motor machinery of said car; and no car or cars shall be allowed or permitted by any person or corporation operating or owning the same to be shunted or run down any such incline, unless the motor machinery of the same can be controlled so as to decrease the rate of speed of such car or cars while running down such incline; and no car or cars shall be run down such incline at a rate of speed greater than ten miles per hour.

**2006. Stop at stations.]** No person or corporation owning or operating any elevated railroad shall suffer or permit any car or cars operated by it, when in transit over the surface of the ground upon rails laid thereon, to be run by any street intersection at which a

station has been provided, without stopping. And all such cars while so in transit shall be stopped at each station.

**2007. Flagmen at street intersections.]** Every person or corporation, owning or operating any elevated railroad within the city, shall provide a flagman at each street intersection of any railway tracks along which any car or cars are operated by such person or corporation upon rails laid on the surface of the ground.

**2008. Penalty.]** Any person or corporation violating any of the provisions of sections 2005, 2006 and 2007 shall be fined not less than fifty dollars nor more than two hundred dollars for each offense.

**2009. Illuminated signs showing stations.]** Every person or corporation operating an elevated railroad within this city shall place and maintain at each and every station on such railroad at least one sign for each twenty feet in length of the platforms at such station. Each of such signs shall show distinctly the name of such station and shall be illuminated at night so that the name can be read easily. Such signs shall be made, placed and maintained in conspicuous positions not less than nine inches above the top of the railing on the platform and in such manner that they can be read easily by persons on the trains of such railroad.

**2010. Kind of sign.]** All such signs shall be of a pattern, material and size to be approved by the commissioner of public works, and they shall be constructed, placed and maintained in a manner to be approved by him.

**2011. Penalty.]** Any person or corporation violating, disobeying, neglecting or refusing to comply with the terms of sections 2009 and 2010 shall be fined not less than ten dollars nor more than two hundred dollars for each offense, and every such person or corporation shall be deemed guilty of a separate offense for each day such violation, disobedience, neglect, or refusal shall continue after the first conviction.

## CHAPTER LIV.

### ROOFING.

**2012. License—fee—bond—plates.]** Every person or corporation engaged in, carrying on, or conducting within the city the business of composition roofing buildings and who shall use a wagon or wagons in and about such business shall file with the commissioner of public works a bond to the city in the sum of five thousand dollars, which bond shall be approved by said commissioner of public works, conditioned to save the city harmless from all damages that may happen, accrue to or be chargeable against the city on account and in consequence of the use of the streets of the city in such business, and for the purpose of securing the immediate repair and clearing of any portion of the public streets incumbered by the employes of such person or corporation while engaged in the composition roofing business; and every such person or corporation shall pay to the city for each wagon so used an annual license fee of ten dollars.

**2013. Application for license.]** Every person or corporation engaged in, carrying on or conducting the composition roofing business within the city and using a wagon or wagons in and about the conduct and carrying on of such business shall make application to the mayor for a license for each wagon so used, and the application shall contain the name of the applicant and the location of the place or places of business of such applicant, also the number and description of each and every wagon or other vehicle used by the applicant for a license in and about the composition roofing business.

Upon the approval of such application by the commissioner of public works, and the payment of such fee the city clerk shall issue to the person or corporation paying same a license containing the name of the person or corporation to whom such license is issued and authorizing the operation by such person or corporation of a wagon to be used in the composition roofing business for a period of one year; and shall also issue to such licensee with each license so issued two metallic plates not less than eight inches long and four inches wide, on which shall be legibly and conspicuously marked a number corresponding to the number of the license issued and also the words "Licensed Roofing Wagon," together with the year for which the license shall have been issued; and such licensee shall place or cause to be placed such plates so issued one on each side of the outside of the wagon used by him in the business of composition roofing, and such

plates shall be securely fastened to such wagon in a conspicuous place so that they may be easily seen.

Provided, however, that if at any time after the issuance of the license the licensee shall change the location of his place of business as set out in such license, notice shall be given forthwith by such licensee to the city collector, informing him of such change and describing the new location.

**2014. Penalty.]** Any person or corporation engaged in, carrying on or conducting the composition roofing business within the city who shall operate or use a wagon or other like vehicle in and about the conduct of the composition roofing business without having such wagon licensed and marked in accordance with the provisions of this chapter shall be subject to a fine of not less than five dollars nor more than twenty-five dollars for each offense, and each and every day that any such person or corporation engaged in the composition roofing business shall operate a wagon or other like vehicle for the purpose of the composition roofing business, not licensed and marked in accordance with the provisions of this chapter, shall constitute a separate and distinct offense.

## CHAPTER LV.

### RUNNERS.

**2015. Runner defined.]** The word "runner" as used in this chapter shall be held to mean and is defined as meaning any person who shall ask or solicit the patronage or custom of any traveler or other person for any railroad, steam boat line, bus line, or other transportation line, or other public vehicle, or any hotel, restaurant, boarding house, store or public house of any kind; on any railroad train or steam boat or at any railroad depot, steam boat landing or other public place in the city.

**2016. No person to act as runner without license.]** No person shall be permitted to engage in the business of, or act as, a runner, as defined in the preceding section, anywhere within the city unless he shall first have obtained a license so to do in the manner hereinafter set forth. Provided, however, nothing contained herein shall be held to require any licensed driver of a licensed public vehicle to take out a license as a runner to enable him to solicit patronage for such vehicle while he is acting as the driver thereof.

**2017. License—application—bond.]** Any person desiring to secure a license as a runner, under the provisions of this article, shall make application for that purpose, in writing, to the board of inspectors of public vehicles upon a form to be provided by the said board. Such application shall set forth the name of the applicant, his residence and occupation, and shall be endorsed by at least two responsible citizens of this city who shall certify that the applicant is a man of good habits, honest, sober and industrious, and a fit person to be licensed as a runner; and such application shall further state the name and place of business of the person or corporation for whom such runner is to act in soliciting patronage. Upon such application being received, the said board shall make careful and diligent inquiry as to the character and record of the applicant for honesty, sobriety and capability, and if they shall find that such applicant is lacking in any of such respects they shall refuse to recommend the issuance of a license. If the said board shall be satisfied that the applicant is a fit person to be licensed, they shall transmit such application, with their approval thereon, to the mayor, who upon the payment by such applicant of a license fee of twelve dollars to the city collector, shall issue or cause to be issued, to such applicant a license, attested by the city clerk, authorizing such applicant to

act as a runner under the provisions of this article until the expiration of such license. Upon the issuance of such license and before the person so licensed shall be permitted to act as runner hereunder, he shall execute a bond to the city of Chicago in the sum of five hundred dollars, with sureties to be approved by the board of inspectors of public vehicles, conditioned for the faithful performance and observance of all the conditions and provisions of the ordinances of the city concerning or relating to runners; and further conditioned to observe and conform to all rules and regulations of the board of inspectors relating to the manner in which such runners shall conduct their business; and such bond shall be for the use of any person who may be injured, damaged or aggrieved by any neglect or refusal of such licensee to observe and obey the ordinances or rules and regulations above referred to. Such bond shall be filed with the city comptroller.

**2018. Change of residence or employer.]** If any person licensed as a runner hereunder shall change his residence at any time before the expiration of his license, or shall change his place of employment or enter the employment of a different person or corporation than that named in the application hereinbefore provided for, he shall forthwith notify, in writing, the board of inspectors of such fact.

**2019. Badge.]** Every person licensed as a runner under the provisions of this article shall at all times while acting as such, wear a metal badge not less than three and one half inches in length nor less than two inches in width, having a number thereon corresponding to the number of such runner's license and the year for which such license is issued; such badge shall be provided with a pin or other fastening, and shall be worn by such runner at all times while pursuing his occupation, in a conspicuous place on the outside of his outside coat; and such badge shall be of a different design for each year. The badge herein provided for shall be obtained from the city clerk.

**2020. Not more than one runner to act at any one place for same employer.]** Not more than one licensed runner shall be permitted to ask or solicit business at any railroad depot, steam boat landing or other public place in the city for any particular person or corporation engaged in any business for which such custom or patronage is being solicited by licensed runners. Provided, however, that nothing herein contained shall be held to prevent any person or corporation engaged in any business for which runners are hired to solicit or ask custom or patronage, from being represented by a licensed runner at each railroad depot, steam boat landing or other public place in the city; the intention being to prevent any such person or corporation from being represented at the same public place by more than one runner at the same time.

**2021. Duty of runner acting for hotel or public place.]** Any person acting as runner under the provisions of this article for any hotel, restaurant, boarding house or other public house, when soliciting patronage or custom for any such place from any person, shall present to the person so solicited a card plainly printed in the English language, containing the name of the person or corporation and the place and description of business carried on by such person or corporation for whom such runner is then soliciting or asking custom or patronage; and if such place is a boarding house, hotel, or similar place, the card shall also contain the rates charged for lodging and board by the day; by the week; for a single meal; and the price for conveyance of persons and baggage to and from such place, conspicuously printed on such card.

**2022. False representations.]** No person acting as a runner under the provisions of this article shall make use of any device, deceit, imposition, or false representation in relation to the rates, the character, custom or location, of any hotel, restaurant or boarding house; or the location of any street, private house, place of business, or other place whatever in said city, or in relation to the time or place of the arrival or departure of any vessel, train or other public conveyance; or be guilty of any misrepresentation, deceit or fraud toward any person nor shall any person licensed as a runner solicit or ask custom or patronage for any gambling place, bawdyhouse, or other disreputable resort or disorderly house.

Any person licensed as a runner under the provisions of this article who shall solicit or ask custom or patronage for any gambling place, bawdyhouse, or other disreputable resort or disorderly house shall have his license revoked and shall not again be licensed as a runner.

**2023. Creating a disturbance.]** No person acting as a runner under the provisions of this article shall at any time or place make any unnecessary noise or disturbance, or make use of profane, obscene or boisterous language, or use any language, or be guilty of any act calculated to disturb the peace or good order of the city, or to harass, vex or disturb travelers or citizens.

**2024. Board of inspectors of public vehicles to supervise runners.]** The provisions of this article shall be enforced by the board of inspectors of public vehicles. The said board shall exercise such supervision as is necessary over all licensed runners, for the purpose of preventing such runners from violating any of the provisions of this article; and shall make such rules and regulations as are necessary and proper to carry into effect the provisions thereof; and if any licensed runner shall refuse or neglect to comply with the provisions of this article, or to comply with any rule or regulation so made by the said board of inspectors, for the first offense he shall have his li-



cense suspended for ten days; for the second offense for thirty days, and for the third offense shall have his license revoked; and such suspension or revocation shall be a punishment in addition to any fine or fines which may be imposed for a violation of any of the provisions of this article as hereinafter provided. The suspension or revocation of any license shall be made by the mayor upon the recommendation of the said board. Any runner whose license shall be revoked shall not again be licensed.

**2025. Penalty.]** Any person who acts or attempts to act as a runner, or who asks or solicits custom or patronage for any railroad, steam boat line, bus line, or other transportation line, or for any public vehicle, or for any hotel, restaurant, boarding house, store or public house of any kind, on any railroad train or steam boat or at any railroad depot, steam boat landing or other public place in the city, without having first secured a license in manner and form as provided for in this chapter, or who shall when licensed as a runner violate any of the provisions of this chapter, shall be fined not less than five nor more than one hundred dollars for each offense; and each and every day on which any person shall act or attempt to act as a runner without being licensed so to do, after the first offense, shall constitute a separate and distinct offense.

## CHAPTER LVI.

### CORPORATE SEAL.

2026. Seal adopted—described.] The seal provided and authorized for the city of Chicago shall be an obverse side with a diameter of two and three-eighths inches, the impression of which is a representation of a shield (American) *gules*, *argent*, and *azure* (in red, white and blue); with a sheaf of wheat in *fess-point* (center), *or* (in gold); a ship in full sail on dexter (as right side supporter) *proper*; on top a sleeping infant *proper*, reposed in a shell *argent* (in silver); an Indian chief with a bow and arrow, *proper*, on sinister (as left side supporter) standing on a promontory, *vert* (in green); with the motto: "Urbs In Horto," *or*, on scroll, *gules* (in gold on a red flowing ribbon) at bottom of the shield; with the inscription, "CITY OF CHICAGO; INCORPORATED 4TH MARCH, 1837" *or* (in gold), within an *azure* (blue) ring around the outer edge of said seal, which seal represented as aforesaid and used with or without colors shall be and is hereby corrected, established, declared to have been, and now to be, the Seal of the City of Chicago. For general use, the plain impression in white containing the figures as given above shall be sufficient.



## CHAPTER LVII.

### SECOND-HAND DEALERS AND KEEPERS OF JUNK SHOPS.

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#### ARTICLE I.

##### SECOND-HAND DEALERS.

**2027. License—how granted.]** The mayor may grant licenses to such persons as shall produce to him satisfactory evidence of good character, to exercise or carry on the business of dealing in second-hand furniture, clothes or other articles, in the city.

**2028. License fee.]** Every person receiving a license as a second-hand dealer shall pay therefor to the city collector for the use of the city the sum of fifty dollars annually.

**2029. Bond.]** Every person so licensed shall at the time of receiving such license, execute a bond to the city, with good and sufficient sureties to be approved by the city collector in the sum of five hundred dollars, conditioned for the due observance of all ordinances of the city now in force or which may hereafter be passed respecting dealers in second-hand articles.

**2030. Dealing without license prohibited.]** No person shall keep a place for the purchase or sale of second-hand clothing, second-hand household goods, second-hand counters, shelving, showcases, store and office fixtures, boilers, engines, belting, pulleys, motors, dynamos, electrical apparatus, machinery or other second-hand article of any kind or description, nor shall any person trade, barter, deal in, or carry on the business of dealing in any such second-hand articles as hereinbefore described, without being specially licensed for such purpose; and any license issued under the provisions of this article shall designate the house or place in which the person so licensed shall carry on the business for which he is licensed; and such business shall not be carried on or conducted in any other place than that designated in and by such license. No person licensed under the provisions of this article shall be permitted to solicit business in any of the articles named herein upon any street or public highway in the city. Any person violating any of the provisions of this section shall be fined not less than fifty dollars nor more than two hundred dollars for each offense.

**2031. Record of purchases.]** Every person licensed hereunder

shall keep a book, in which shall be fairly written, at the time of the purchase of any article or thing, in the way of his business, an accurate account and description of the article or thing so purchased, the price paid therefor, the precise time of making such purchase, and the name and residence of the person from whom such purchase was made.

**2032. Report of purchases.]** It shall be the duty of every licensed person aforesaid to make out and deliver to the superintendent of police, every day before the hour of twelve o'clock noon, a legible and correct copy from the book required in the last preceding section, giving an accurate account and description of each and all of the articles and things purchased during the preceding day, the price paid therefor, the precise time of purchase, and the names and residences of the persons from whom such purchases were made.

**2033. Record—inspection of.]** The said book shall, at all reasonable times, be open to the inspection of the mayor, aldermen and any member of the police force.

**2034. Penalty.]** Every person licensed hereunder who shall violate or refuse to comply with any of the provisions of the last three preceding sections, shall, for every such offense be fined not less than twenty dollars nor more than fifty dollars.

**2035. Other licenses not to issue.]** No person licensed under the provisions of this article, shall, during the period of his license, receive or hold a license to carry on the business of a pawn-broker or a keeper of a junk shop.

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## ARTICLE II.

### KEEPERS OF JUNK SHOPS.

**2036. License—fee.]** The mayor may grant licenses to such persons as shall produce satisfactory evidence of good character to keep what are commonly called junk shops or junk wagons or both, for the purchase and sale of old rope, old iron, brass, copper, tin or lead, rags, slush, empty bottles, paper, bagging and other junk. Every person receiving a license for a junk shop shall pay therefor to the city collector the sum of fifty dollars annually; every person receiving a license for a junk wagon shall pay therefor to the city collector the sum of ten dollars annually.

**2037. Licenses for wagons.]** A separate license shall be obtained by every junk dealer for each cart, wagon, or other vehicle used in his business.

**2038. License fee for boats.]** Every person having or using any

boat or boats, or other kind of vessel for the purpose of collecting rags, old rope, paper, bagging, old iron, brass, copper, tin, empty bottles, slush, lead or other junk shall pay an annual license fee of fifty dollars for each boat or other vessel and shall comply with and be subject to all ordinances now in force, or hereafter passed, respecting the keepers of junk shops, so far as the same are applicable.

**2039. Bond.]** Every person licensed under the provisions of this article shall, at the time of receiving his license execute a bond to the city with good and sufficient sureties to be approved by the city collector in the sum of two hundred and fifty dollars, conditioned for the due observance of all ordinances of the city now in force, or which may hereafter be passed, respecting the keeping of junk shops, junk wagons or junk boats.

**2040. Doing business without a license prohibited.]** No person shall exercise, carry on, or engage in the business of keeping a junk shop or what is commonly called a junk shop, for the purchase, sale, barter, exchange, or other dealing in or storage, of rags or old rope, paper or bagging, old iron, brass, copper, tin, slush or lead, empty bottles or other junk, nor exercise, engage in, or carry on any such business at any other house or place than that designated in his license; nor draw or drive, or cause to be drawn or driven, through the streets of this city any handcart, wheelbarrow, or other car or vehicle, or use any boat or other kind of vessel, for the purpose of collecting or disposing of such articles; nor shall any person be entitled to have a cart or carts, boat or boats, or other vehicle or vehicles, to be used for the aforesaid purpose, without being first licensed by the mayor for such purpose. Every person who shall violate any of the provisions of this section shall be subject to a fine of not less than twenty-five dollars, nor more than one hundred dollars, for each offense.

**2041. Vehicle marked—badges.]** Every person licensed under the provisions of this article shall, before using any such cart, wagon, boat or other vehicle or vessel, or causing the same to be used for the collection or disposal of any of the articles mentioned in section 2036, obtain from the city clerk, for each such wagon, cart, boat, or other vehicle, two painted metal plates eight inches long and four inches wide, and of a different color or design for each year, on which shall be stamped a number corresponding to the license number and also the words "Chicago junk," together with the year for which the license is issued, which plates shall be securely fastened on the outer sides of such cart, wagon, boat or other vehicle or vessel used in his said business. Such cart, wagon, boat or other vehicle or vessel shall also be permanently marked with the name of such licensed keeper of a junk shop, together with the street and number of his place of business. Such person shall also at the same time obtain from the city clerk a metal badge one and three-fourths inches long and one and one-eighth

inches wide, for the driver of each licensed junk wagon, having a number thereon corresponding to the number on the aforesaid plate. Such badge shall be provided with a pin or other fastening, and shall be worn in a conspicuous place on the outside of the coat, and shall be of a different design for each year.

**2042. Not to act as pawnbroker.]** No keeper of a junk shop shall receive any article or thing by way of pledge or pawn; nor shall he loan or advance any sum of money on the security of any article or thing.

**2043. Other licenses not issued to dealer.]** No keeper of a junk shop shall, during his license as such, receive or hold a license to carry on the business of a pawn-broker or of a dealer in second-hand articles.

**2044. Registry of purchases.]** Every keeper of a junk shop shall provide and keep a book, in which shall be fairly written at the time of every purchase, a description of the article so purchased, the name and residence of the person from whom such purchase was made, and the day and hour of such purchase.

**2045. Inspection of register.]** Every such book shall at all times be open to the inspection of the mayor, aldermen and any member of the police force.

**2046. Penalty.]** Every keeper of a junk shop who shall violate or refuse to comply with any of the foregoing provisions of this article, shall be fined not less than twenty dollars nor more than one hundred dollars for each offense.

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### ARTICLE III.

#### GENERAL PROVISIONS.

**2047. License—contents of.]** Every license granted to any dealer in second-hand articles or keeper of a junk shop shall designate the house or place in which the person receiving such license shall be authorized to carry on such business.

**2048. Removal of place of business.]** In case any person so licensed as aforesaid, either as a dealer in second-hand articles or keeper of a junk shop, shall remove his place of business from the place designated in such license, he shall immediately thereupon give notice to the city collector and have the change noted upon such license, and the number of his place of business shall thereupon be changed on the sides of the vehicle or vessel used by such licensed dealer, and made to correspond with such new place of business.

**2049. Purchase from minors prohibited.]** No dealer in second-hand articles or keeper of a junk shop shall purchase any goods, ar-

article or thing whatsoever, except old rags and waste paper, from any minor under the age of eighteen years, under a penalty of not less than five nor more than fifty dollars for each offense.

**2050. Hours of business.]** No dealer in second-hand articles or keeper of a junk shop shall purchase in the way of his business any goods, article or thing whatsoever, from any person, between the hours of ten p. m. and six a. m., under a penalty of not more than twenty-five dollars for every such offense.

**2051. Articles purchased held ten days before sale.]** No dealer in second-hand articles or keeper of a junk shop shall expose for sale, or sell or dispose of, any article or articles within ten days of the time of purchasing the same, nor until the same have been in or upon the premises wherein the same are offered, exposed or sold, at least ten days, under a penalty of twenty-five dollars for each offense.

**2052. Dealer to expose lost goods, etc.]** Every dealer in second-hand articles or keeper of a junk shop who shall receive or be in possession of any goods, articles or things which may have been lost or stolen, or alleged or supposed to have been lost or stolen, shall forthwith on a demand, exhibit the same to any member of the department of police or to any alderman, under a penalty of not more than two hundred dollars for every neglect or refusal so to do.

**2053. Inspection of dealers.]** The superintendent of police by himself or by any officer designated by him shall have general supervision over all dealers in second-hand articles, and keepers of junk shops, and shall also have power to inspect their respective places of business and all articles or things kept therein, whenever he shall deem it necessary so to do.

**2054. Frontage consents.]** No person shall store or keep any junk or keep any junk shop in or upon any premises fronting upon any street in any block in which two thirds of the buildings fronting on both sides of the street between the two nearest intersecting streets in such block are used exclusively for residence purposes, except upon the written consent of the owners of a majority of the frontage on both sides of such street between such intersecting streets in such block.

**2055. Penalty.]** Any person who shall violate any of the provisions of this chapter where no other penalty is provided, shall be fined not less than ten nor more than two hundred dollars for each offense.

## CHAPTER LVIII.

### SHOOTING GALLERIES, RIFLE RANGES AND GUN CLUBS.

**2056. License required.]** No person shall keep, conduct or operate any shooting gallery, rifle range, gun club or other place where firearms are discharged in the city without first being licensed so to do as hereinafter provided.

**2057. Application—license fee.]** Any person or corporation desiring to keep, conduct or operate any shooting gallery, rifle range, gun club or other place for the discharge of firearms in the city shall make written application to the mayor for a license so to do, setting forth therein the name of the applicant and the place where it is desired to keep, conduct or operate such shooting gallery, rifle range, gun club or other place where firearms are discharged. Upon the payment to the city collector of an annual license fee of twenty-five dollars the mayor shall issue, or cause to be issued, a license attested by the city clerk authorizing such applicant to keep, conduct or operate a shooting gallery, rifle range, gun club or other place where firearms may be discharged, during the period of such license; Provided, the requirements hereinafter set forth in regard to location of shooting galleries and the placing of rifle butts or targets upon the premises of any rifle range or gun club and the location of the grounds of such rifle range or gun club are complied with.

**2058. Shooting gallery — inspection — frontage consents.]** When application is made for keeping, conducting or operating a shooting gallery in the city, the mayor shall cause to be made an inspection of the premises in or upon which it is intended or desired to keep, use or operate such shooting gallery, and if it appears that such premises are so located and are of sufficient size, and that the target or targets and other equipment of such shooting gallery will be placed, kept and maintained in such manner and in such condition as to produce the maximum of safety, he shall issue or cause to be issued such license as is hereinabove provided for, otherwise such license shall be refused. No shooting gallery shall be located upon any street or alley in any block in which two thirds of the buildings on both sides of the street between the two nearest intersecting streets of such block are used exclusively for residence purposes, without the written consent of a majority of the owners of the property according to frontage on both sides of such street or alley between such intersecting streets.

**2059. Rifle range or gun club—location of.]** Upon application



being made by any person or corporation for a license to keep, conduct or operate a rifle range or gun club or other place within the city upon or in which firearms may be discharged, the mayor shall cause to be made an inspection of the premises upon or in which it is desired or intended to keep, conduct or operate such rifle range, gun club or other place upon or in which firearms may be discharged, for the purpose of ascertaining whether such premises are sufficiently ample to permit of the discharge thereon or therein of firearms without endangering the safety of the public or persons living adjacent to such premises, and to ascertain whether the targets or butts are so placed and are to be so kept and maintained, as to permit the use of such premises and the discharge thereon or therein of firearms with the maximum of safety to the public and to persons living adjacent to such premises and to persons using such premises upon which such rifle range or gun club is being conducted, kept or operated; and if it shall appear that the premises are sufficiently ample and that the equipments thereof are such as will produce the maximum of safety as herein required, a license shall be issued for such rifle range, gun club or other place as hereinbefore provided; otherwise such license shall be refused.

**2060. Penalty.]** Any person or corporation keeping, conducting or operating any shooting gallery, rifle range, gun club or other place within the city whereon or wherein firearms are discharged, or whereon or wherein shooting at a target is engaged in, without first being licensed as herein provided, shall be fined not less than ten nor more than one hundred dollars for each offense.

## CHAPTER LIX.

### SIDEWALKS.

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#### ARTICLE I.

##### CONSTRUCTION OF SIDEWALKS.

**2061. Regulations.]** In all cases except where sidewalks are to be laid in accordance with the provisions of special assessment ordinances, it shall be unlawful for any person or corporation to construct, lay or rebuild any sidewalk on any portion of the public streets or alleys of the city except in compliance with the following specifications, under a penalty of not less than ten dollars nor more than fifty dollars for each violation of this article and each day that such sidewalk shall remain so constructed, laid or rebuilt in violation of this article shall be a separate and distinct offense and any person so violating this article shall be liable to a like penalty for each and every day that such sidewalk remains so constructed, laid or rebuilt. Such specifications are hereby fixed and adopted as follows, and are hereby made a part of this article.

##### SPECIFICATIONS FOR PORTLAND CEMENT.

##### CONCRETE SIDEWALKS.

**2062. Walks laid on filling.]** A foundation shall be first prepared by cutting down or filling up the natural surface of the ground to a sub-grade which shall be fourteen inches below final sidewalk grade. Wherever filling is necessary to bring the foundation to sub-grade, such filling shall be composed of earth or cinders or other material equally as good for filling purposes free from animal or vegetable matter, placed in such a manner as to leave a berm of one foot on each side of and flush with the top of the completed walk (except where the walks are laid full width of the sidewalk space) and shall slope to the natural surface of the ground at the rate of one and one-half feet horizontal to one foot vertical. Where necessary the foundation shall be compacted by wetting, rolling, or ramming until solid and unyielding. Soft and spongy places not affording a firm founda-

tion shall be dug out and refilled with earth or cinders or other material equally as good for filling purposes free from animal or vegetable matter, thoroughly compacted. Upon this sub-foundation shall be laid a layer of cinders which shall be nine inches in depth after being flooded with water and thoroughly tamped. Upon the foundation thus prepared shall be placed a layer of hydraulic cement concrete four and one-quarter inches in thickness composed of the following materials and proportions. The concrete shall consist of one part of cement equal in quality to the best Portland cement, two and one-half parts of clean torpedo sand free from dust, loam and dirt, of sizes ranging from one-eighth inch down to the finest, and five parts of crushed limestone, or other stone equally as good for concrete purposes, or washed gravel, all of which shall be free from dust and dirt or other foreign substances, and of sizes measuring not less than one-fourth of an inch or more than one inch in any dimension. The cement and sand shall be thoroughly mixed dry, after which it shall be moistened with water and made into a stiff mortar. The crushed stone or gravel, after being sprinkled with water, shall then be incorporated in the mortar and the mass shall be thoroughly mixed together by turning over with shovels, hoes or mechanical mixers at least three times, and then placed on the foundation and rammed until perfectly solid.

The second or finishing layer, three-fourths of an inch thick, composed of two parts of cement equal in quality to the best Portland cement and three parts clean torpedo gravel or granite screenings shall be put on before the first layer has set, and trowelled sufficiently to give the completed walk a smooth, even and glossy surface.

A space of one and one-half inches must be left between all walks and the curb at street and alley intersections to provide for expansion.

All mixing to be done on water-tight platforms.

All work on 5, 6, 10, 12, 15, 18, 20, 24 and 25 foot walks to be laid out in blocks five feet by six feet in size; on all other widths of walk the stones to be of a uniform size and to have a surface of not less than twenty-four square feet nor more than thirty-six square feet.

All walks to be laid on a line one foot from and parallel with the lot line unless otherwise ordered by special ordinance.

#### WALKS LAID OVER VAULTS, AREAWAYS, ETC.

**2063. Substructure.]** The substructure shall consist of steel "I" beams set not more than five feet apart from center to center, the outer end of said beam to rest at least eight inches on the curb wall and to be firmly bedded in masonry to the top flange of beam. Where practicable the inner end of said beam shall penetrate the building wall not less than six inches. Whenever said beams rest on an area

wall, and the clear span between bearing points exceeds nine feet, such wall shall not be less than twelve inches in thickness.

Where no area or building wall exists said cross beams shall rest on or be framed into a girder beam and shall be fastened to same with proper angles and thoroughly bolted or riveted. All intersecting or girder beams to be one inch deeper in size than the cross beams which are to rest on or be framed into them, (for example: seven inch cross beams to rest on or be framed into eight inch girder beams; eight inch cross beams to rest on or be framed into nine inch girder beams, etc.).

Such girder beams to be supported by circular cast iron columns, set not more than eight feet apart from center to center. Such columns to be not less than five inches external diameter and metal not less than one-half inch thick free from blow-holes and other defects.

Such columns to rest on twelve inch by twelve inch iron plates one inch in thickness firmly bedded in a concrete foundation said foundation to be not less than eighteen inches thick and having a surface bearing not less than four square feet. The top of such columns shall have a square plate one inch thick and shall be fitted with a shoe formed in same in which the above mentioned girder beam shall rest. Wherever columns over ten feet in length are required they shall be of three-fourths inch metal, and six inches external diameter.

The top of the completed iron substructure shall be a plane parallel with and four inches below the top of the finished walk.

The following sized steel cross beams shall be used in construction:

For six foot span six inch beams weighing twelve and one-fourth pounds per foot.

For seven foot span six inch beams weighing twelve and one-fourth pounds per foot.

For eight foot span seven inch beams weighing fifteen pounds per foot.

For nine foot span eight inch beams weighing seventeen and three-quarters pounds per foot.

For ten foot span eight inch beams weighing seventeen and three-quarter pounds per foot.

For eleven foot span nine inch beams weighing twenty-one pounds per foot.

For twelve foot span nine inch beams weighing twenty-five pounds per foot.

For thirteen foot span ten inch beams weighing twenty-five pounds per foot.

For fourteen foot span twelve inch beams weighing thirty-one and one-half pounds per foot.

For fifteen foot span twelve inch beams weighing thirty-one and one-half pounds per foot.

For sixteen foot span twelve inch beams weighing thirty-five pounds per foot.

For seventeen foot span twelve inch beams weighing forty pounds per foot.

For eighteen foot span twelve inch beams weighing forty pounds per foot.

For nineteen foot span fifteen inch beams weighing forty-two pounds per foot.

For twenty-foot span fifteen inch beams weighing forty-two pounds per foot.

If for any reason it should become advisable or necessary to change the spacing between beams or use a beam of different depth than those specified, the spacing shall be so changed, or such beam shall be of sufficient weight to give it bearing strength equal to the beam specified (for example: on a fourteen foot span, if it should be necessary to substitute a ten inch beam for the twelve inch beam specified, such ten inch beam must weigh thirty-five pounds per foot; or, should such ten inch beam weigh but twenty-five pounds per foot, then they shall be set not more than four and four-tenths feet apart from center to center).

**2064. Concreting.]** Between the beams set in place as above specified, and securely fastened to the lower flange of same, shall be placed temporary arched forms or centers, smooth on the upper surface, which shall be removed when the concrete has become thoroughly set. Said forms to be so set that the top or crown of same shall be two inches below the top of the steel cross beams.

Upon the above specified forms shall be placed the concrete, composed of the same kind and quality of material, in the same proportions and mixed in the same manner as the concrete specified for cement sidewalks laid on filling, said concrete to be thoroughly compacted by tamping or ramming (especial care being given to tamping and ramming about the joints) and brought to a grade three inches above the top of the steel substructure and one inch below and parallel with the top of the completed walk. The top or finishing layer, one inch thick, composed of two parts of cement, equal in quality to the best Portland cement, and three parts screened torpedo gravel, or granite screenings, to be put on before the first layer has set, and trowelled sufficiently to give the completed walk a smooth, even and glossy surface; joints to be formed over the center of each "I" beam in the concrete as well as in the top dressing, and shall extend over the curbing down to the pavement.

Any system or method of vault construction equal to the above system may be used in lieu thereof, but in all cases any plans calling for beams or a construction of a size or character different from the above sizes and weights shall be submitted to the commissioner of public

works for approval before construction is commenced and shall be capable of sustaining a distributed safe load of three hundred pounds per square foot, including weight of walk.

Before the top or finishing layer has set the contractor or person building the walk shall place in such walk in front of each lot or parcel of property, a stamp or plate giving plainly the name and address of the contractor or person building the walk and the year in which the work was done. The top of said plate or stamp which must not cover more than fifty-four square inches of surface, shall be flush and even with the top of the finished walk, and must be of a permanent character plainly stamped or firmly bedded in the concrete in such a manner that it cannot become loose, or be easily removed or defaced.

Wherever one contractor or person has laid walks in front of three or more adjoining lots or parcels of property in one continuous stretch, then one of the above named stamps placed in the walk at each end of said stretch of walk will be sufficient.

**2065. Slope.]** All sidewalks to be so constructed that when completed the top surface shall coincide with the grade of the space between the curb line and the street line, which grade shall be a uniform incline from the street line toward the curb line, with a fall of one inch in every three feet.

**2066. Curbage.]** The curbage shall consist of concrete mixed of materials and in proportions as in this article specified for concrete walks, with a top dressing one inch thick and shall extend four inches below the top of the pavement. When finished it shall present a true and perfectly plumb appearance and shall be free from buckles and bulges, all joints to be straight and clean cut.

**2067. Driveways.]** Where driveways are to be built across the sidewalk space they shall conform to the sidewalk grade and shall be nine inches in depth, consisting of a layer of concrete seven inches in depth and a top or finishing layer two inches in depth. Work to be in the manner, and materials to be of the quality and proportions specified for Portland cement concrete walks.

#### SPECIFICATIONS FOR STONE SIDEWALKS.

**2068. Material and dimensions.]** Stone sidewalks shall be constructed of the best quality of limestone, quarried a sufficient time to be seasoned and thoroughly frost proof. Said stone to be free from cracks, seams and imperfections, sawed or planed with full joints grooved for one and one-fourth by three-eighths inch iron bars, the ends to be full and heads dressed to a uniform thickness. No stone to be less than four and one-half feet wide and of the following thicknesses.

For walks eight feet wide the stone shall be not less than six inches thick.

For walks ten feet wide the stone shall be not less than eight inches thick.

For walks twelve feet wide the stone shall be not less than ten inches thick.

For walks fourteen feet wide the stone shall be not less than twelve inches thick.

For walks sixteen feet wide the stone shall be not less than fourteen inches thick.

Said stones to be bedded on the curb wall on the outside and on the inside on six by eight inch iron lintels of one and one-fourth inch metal. Said lintels to be supported by circular cast iron columns not less than eight feet in length set not more than eight and one-half feet apart from center to center resting on a foundation of stone not less than twelve inches deep, and having a surface bearing of not less than four feet square. Said columns to be of the best quality of cast iron free from blow-holes and other defects and to be of the following sizes external diameter:

For walks eight feet wide or less four inch columns of one-half inch metal.

For walks ten feet wide five inch columns of one-half inch metal.

For walks twelve feet wide and over, six inch columns of one-half inch metal.

Where columns over ten feet in length are required they shall be of three-fourths inch metal and one inch greater in external diameter than the size specified above for the different widths of walk.

All joints in the walk to be made water tight by calking with oak-um and pitch.

**2069. Slope.]** All sidewalks to be so constructed that when completed the top surface shall coincide with the grade of the space between the curb line and the street line, which grade shall be a uniform incline from the street line toward the curb line, with a fall of one inch in every three feet.

#### SPECIFICATIONS FOR CINDER SIDEWALKS.

**2070. Foundation—material—curb.]** A foundation shall first be prepared by cutting down or filling up the natural surface of the ground to within twelve inches of the grade of the finished sidewalk. Where filling is necessary, the same shall consist of earth, cinders or other material equally as good for filling purposes free from animal or vegetable matter, and shall be thoroughly compacted by wetting and rolling or ramming until solid and unyielding. Wherever said walk is to be laid over low, swampy ground, drainage shall be provided for by placing six inch drain tile across the bottom or foundation, not more than twenty-five feet apart from centers in order not to interfere with the surface drainage.

On the foundation as above prepared shall be laid a layer of coarse cinders or slag, said layer to be of a depth of nine inches after being thoroughly compacted by wetting and rolling or ramming.

Upon said layer of coarse cinders or slag shall be laid a layer of fine, well screened cinders, said layer to be of a depth of three inches after being puddled, tamped or rolled until solid and unyielding.

A wooden curb shall be constructed on each side of said sidewalk, in such a manner as to leave a clear sidewalk space of the width required by ordinance between said curbs.

Said wooden curb shall consist of sound, split cedar posts, or posts of other material equally as good, having a face of not less than three inches. Said posts to be not more than four feet apart from center to center, and driven firmly into the ground to a depth of not less than fifteen inches below the natural surface of same, with the tops even with the sidewalk grade.

Hemlock plank of the best quality, two inches thick and six inches wide shall be nailed to the face of the posts, with two thirty-penny wire nails to each post in each plank. Said curbing shall be set so that the top edge of the same shall be even with the top of the finished sidewalk. All of said curbing shall be backfilled with earth or cinders free from animal or vegetable matter, in such a manner as to leave a berm of six inches on each side of and flush with the top of the completed sidewalk, and shall slope thence to the natural surface of the ground at the rate of one foot horizontal to one foot vertical.

Said sidewalk shall be so constructed that when completed the top surface shall coincide with the grade of the space between the curb line and the street line, which grade shall be a uniform incline from the street line toward the curb line, with a fall of one inch in every three feet.

#### INTERSECTIONS.

Whenever cinder sidewalks are to be laid on streets drained by surface ditches, the walks over such ditches at the street intersections shall be composed of such materials and constructed in the such manner as the commissioner of public works shall direct.

**2071. Duty to enforce provisions.]** It shall be the duty of the department of public works, the sidewalk department, the police department and of any city officer and employe having police power, to enforce the provisions of this article by stopping any work being done in violation of the terms of this article.

**2072. Sidewalk widths—curbs.]** All sidewalks which may hereafter be ordered by the city council, shall be constructed under the superintendence and to the satisfaction of the department of public works, and shall be of the width herein specified, unless a different width shall be specified in the order, to wit: on all streets which are



one hundred feet wide and upward, twenty feet; on streets eighty feet and upward in width, sixteen feet; on streets sixty-six feet and under eighty feet in width, fourteen feet; on streets sixty feet and under sixty-six feet in width, twelve feet; on streets fifty feet and under sixty feet in width, ten feet; and on streets sixty feet and more than fifty feet in width, ten feet; and on streets less than fifty feet and more than forty feet in width, six feet; and on streets thirty feet and less than forty feet in width, four feet. When built of full width, a substantial curbing of stone or white-oak plank, not less than three inches in thickness well tied in, shall be laid on the outer edge of the sidewalk.

**2073. Grade.]** The grades for sidewalks shall be furnished by the department of public works. If any person shall build or assist in building any sidewalk where no grade has been established, without first obtaining a grade therefor from the department of public works, or contrary to any grade which may be obtained from said department, or shall build or assist in building any sidewalk contrary to any grade which may have been or may be established by the city council, or contrary to any of the provisions of this chapter, he shall, in either case, be subject to a penalty of not more than ten dollars for every offense, and to a further penalty of ten dollars for every day he shall fail to remove or reconstruct the same after notice by the department of public works.

**2074. Flush with building.]** No part of any sidewalk shall be taken for private use by lowering or cutting down the same next to the building, or railing off the same by any wooden or iron railing, or by shutting off the public from passing along and over the same, and said sidewalk shall not be raised up next to the building by constructing a platform or platforms on the same, of either wood, iron or stone, but said sidewalk shall be built flush up to the building on a uniform grade as herein provided.

**2075. Smooth glass in sidewalk.]** No person shall insert any smooth pieces of glass in any sidewalk for any purpose whatever, and all pieces of smooth glass which have been inserted in any sidewalk shall be forthwith removed under a penalty of five dollars for each and every day they shall be allowed to remain after notice to remove the same.

**2076. Grade fixed.]** No part or portion of any sidewalk where the grade has been established shall be laid or relaid at any different grade or any other level than the adjacent portions of such sidewalks, and for every violation of this section there is hereby imposed upon the person violating the same a penalty of not less than five nor more than twenty dollars, and he shall also alter said sidewalk so as to make the same conform to the established grade, and in case he neglects and refuses so to do within a reasonable time, it shall be lawful for the department of public works to alter the same, and the costs

and expense of the same shall be paid by such owner and may be recovered from him in an action in the name of the city.

**2077. Fixed width—grass plats.]** No person shall extend or build any sidewalk beyond the established width, and on all streets where courts or open spaces are allowed for planting trees or for grass plats, the same shall not be covered with plank or other material except such parts and portions of said space as may be allowed to be used for coal vaults.

**2078. Repair of wooden sidewalk.]** Any wooden sidewalk already built or constructed within the city, may be repaired: Provided, the cost of such repair does not exceed ten per cent of the value of such sidewalk and that the stringers under said sidewalk are in good sound condition and do not need repairing or replacing.

**2079. Wooden or plank sidewalks construction of—prohibited—penalty.]** No sidewalk shall be built of wood or plank upon or along any street or public way anywhere within the city.

Any person violating any of the provisions of this section shall be fined not less than ten dollars nor more than one hundred dollars for each offense. The maintenance of any sidewalk constructed in violation of this section shall also be punishable by a fine of ten dollars for every day such sidewalk is maintained and every day's violation shall be considered a separate and distinct offense.

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## ARTICLE II.

### MISCELLANEOUS PROVISIONS.

#### PORCHES AND STEPS.

**2080. Construction.]** No person shall construct or place, or cause to be constructed or placed, any porch, door, window or step which shall project into or over any street or sidewalk, under a penalty of not less than five nor more than two hundred dollars for each offense, and a further penalty of twenty dollars for every day that such porch, door, window or step may be continued as aforesaid after notice shall have been given to such person by the department of public works to remove same.

#### STORAGE ON SIDEWALKS.

**2081. Receiving and delivering merchandise.]** No person while receiving or delivering goods, wares or merchandise shall permit the same to remain on any sidewalk longer than is necessary to convey such goods, wares or merchandise to or from the premises abutting

on such sidewalk or to or from which such goods, wares or merchandise are being delivered or received, and for this purpose he shall not occupy over four feet of the outer edge of the sidewalk in front of his store or building, under a penalty of not less than five dollars nor more than ten dollars for each offense.

**2082. Storage on street, alley, or sidewalk.]** No street, alley, or sidewalk shall be used for the storage of goods, wares or merchandise of any kind or description whatever. If any person shall place or cause to be placed in or upon any street, alley or sidewalk any barrel, box, hogshead, crate, package or other obstruction of any kind or description whatever, and shall suffer the same to remain thereon longer than is prescribed in the preceding section, he shall be fined not less than five dollars nor more than ten dollars for each offense.

**2083. 'Stands for fruit and merchandise.]** No person shall erect any booth or establish or fix any stand for the sale of fruit, books or other merchandise, or any article or thing of value whatever, encumbering any part or portion of the streets or sidewalks, under a penalty of not more than five dollars for each offense.

**2084. Drinking fountains.]** Drinking fountains made of iron may be erected upon the outer edge of sidewalks at such points and places as the city council may designate: Provided, that the consent of the owner or agent of the premises in front of which it is proposed to erect such fountain is first obtained.

#### FORBIDDEN USES.

**2085. Hitching horse.]** No person shall at any time fasten any horse or horses in such a way that the horse, vehicle, reins, line, hitching strap or weight, shall be an obstacle to the free use of the sidewalk, under a penalty of one dollar for each offense.

**2086. Horse or wagon on sidewalk.]** No person shall drive, push or draw any horse, wagon, cart, bicycle or other vehicle over any public sidewalk, or use, ride or drive any horse, wagon, sled or sleigh thereon, unless it be in crossing the same to go into a yard or lot where no other suitable crossing or means of access is provided, under a penalty of not less than one dollar nor more than ten dollars for each offense.

**2087. Cross walks.]** No sleighs, wagons, carts, carriages, or horses or other animals shall be allowed to stand on any crosswalk in the city, except so far as may be necessary in crossing the same; and any person being the owner, driver or in charge or control of any sleigh, wagon, cart, bicycle, carriage or horse or other animal placed or suffered to stand on any such cross walk in violation of the provisions of this section shall be fined not more than three dollars for each offense.

**2088. Permit to repair—rebuild.]** No person shall remove, re-

pair, or in any manner disturb any sidewalk without first having obtained a permit from the department of public works, specifying the work to be done (and any violation of the terms of such permit shall render same null and void) under a penalty of not less than ten nor more than fifty dollars for each offense.

**2089. Injury to sidewalk.]** If any person shall break or otherwise injure any sidewalk, he shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

**2090. Cleansing sidewalks.]** From and after the first day of May until the first day of October of each and every year it shall not be lawful for any person to wash or cause to be washed any pavement or windows with a hose or street washer, or by throwing or dashing water against or upon the same in such manner as to permit or cause the water so used in washing to run or fall upon any public sidewalk or in such manner as to obstruct or tend to obstruct the use of any public sidewalk with or by any implement used in and about the cleaning or washing of any such pavement or window, between the hours of seven o'clock in the morning and seven o'clock in the evening. Any person violating any of the provisions of this section shall be fined not less than two dollars nor more than five dollars for each offense.

**2091. Opening uncovered.]** Any person who shall keep or leave open any cellar door, or grating of any vault on any highway or sidewalk, or suffer the same to be left or kept open in front of his premises so as to endanger life and limb, shall be fined not less than ten dollars nor more than fifty dollars for each offense.

(Note: See Supplement.)

**2092. Duty of police.]** It shall be the duty of all policemen to report to the department of public works all defects in sidewalks, and in case of accident, they shall report the same to the law department, together with the names of any witnesses to such accident, if known to them.

**2093. No repair without permit.]** It shall also be the duty of police officers to see to it that no person shall remove, repair or in any manner disturb any sidewalk without first having obtained a proper permit from the department of public works.

**2094. General penalty clause.]** Whoever shall violate any of the provisions of this chapter, where a specific fine has not been provided for, shall be fined not less than five dollars nor more than fifty dollars for each offense.

**2095. Police supervision—power to remove.]** It shall be the duty of the superintendent of police to see to the enforcement of each and all of the provisions of this chapter, and each and every policeman shall, whenever there is any obstruction in any street or alley or sidewalk, endeavor to remove the same; and, in case such obstruction shall be of such a character that the same cannot readily be removed,

then such policeman shall report the same to the department of public works, and the said department shall remove the same.

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### ARTICLE III.

#### SPACE BENEATH SIDEWALKS.

**2096. Space beneath sidewalks—compensation.]** Any person or corporation using or occupying any space underneath any sidewalk, street, alley, or other public way within the city, and which said use or occupation is not authorized by an ordinance passed by the city council, shall pay to the city as rental or compensation for the use or occupation of such space a sum equal to two per cent of the amount determined by multiplying the number of square feet of surface over the space so used by a sum equal to one-tenth of the land value of the frontage per square foot in the lot abutting on such space as last fixed by the board of review of Cook County, Illinois.

All payments made under the provisions of this article shall be made to the city comptroller, and such payments shall as to any such space used or occupied, upon or prior to the first day of July, 1904, run from said first day of July, 1904, and shall be made semiannually thereafter. The use or occupation of any such space which shall have begun since the first day of July, 1904, shall be paid for as of the date when such use or occupation began up to the first day of the month of January or July, as the case may be, next following the date when such use or occupation began, and payments therefor shall thereafter be made semiannually on the first day of January and July in each year.

**2097. Users of space to file statement and bond.]** Every person or corporation using any such space in the manner described in the preceding section shall forthwith after the passage of this ordinance file a statement in duplicate, with the commissioner of public works and the city comptroller, describing in such statement the location of the space so used by him or it together with the superficial area thereof and the use which is made or proposed to be made of such space, accompanying such statement with a blueprint or sketch which shall show the exact location of such space and the length, breadth, and depth thereof and its exact location with reference to the sidewalk or public way underneath which such space is so used or occupied.

Such person or corporation shall also file with the commissioner of public works a bond, with sureties to be approved by said commissioner, in a sum equal to ten times the amount of the annual compensation to be paid for the use or occupation of such space according to the method of computation described in the preceding section; and

such bond shall be conditioned to indemnify, save, and keep harmless the city from any and all loss, cost, damage, expense, or liability, of any kind whatsoever, which it, the city, may suffer or be put to, or which may accrue against, be charged to, or be recovered from said city, from or by reason of such use or occupation or from or by reason of any act or thing done by such person or corporation in or about, through or by reason of such use or occupation; and conditioned further to keep the sidewalk or other public way over such space in such condition and repair that it will be safe for the use of the public and in a manner which shall be satisfactory to and approved by the commissioner of public works; and conditioned further for the full and prompt payment of the compensation herein provided to be paid for such use or occupation. The amount of such bond shall in no case, however, be less than ten thousand dollars.

**2098. Penalty if compensation be not paid or bond not kept in force.]** Any person or corporation occupying or using any space in the manner described in the first section of this article who shall neglect, fail or refuse to pay the compensation herein provided to be paid for such use or occupation, or who shall neglect or fail to file a bond in accordance with the provisions of this article, or neglect or fail to keep at all times while such use or occupation continues such bond in full force and effect, with satisfactory sureties, shall be forthwith required, upon notice from the commissioner of public works, to discontinue such use or occupation and to close or fill up the space so used or occupied; such use or occupation to be discontinued forthwith upon the receipt of such notice and the space to be closed or filled up by such person or corporation as soon thereafter as may be. In the event of any person or corporation so using such space and neglecting to comply with the provisions of this article and who has been notified to discontinue such use or occupation and close or fill up such space, refusing, neglecting or failing to comply with the provisions of such notice, the commissioner of public works is authorized and directed to proceed forthwith to close up or fill such space and to prevent its further use or occupation by such person or corporation and to charge the expense and cost of doing such work against such person or corporation and to recover the amount thereof by any appropriate proceeding.

**2099. Payment of compensation not to prevent revocation.]** The use or occupation by any person or corporation of any space underneath any sidewalk, street, alley or other public way, and the payment of compensation therefor in accordance with the provisions of this article, shall not be held to deprive the city of its right, upon reasonable notice, to compel the abandonment of such use or occupation by any such person or corporation at any time when public necessity may require the use of such space or any part thereof.

**2100. Right of city to occupy reserved.]** The right is expressly reserved to the city at any time to occupy part or all of such space for any sewer pipe, drain pipe, conduit, or other public or municipal purpose, and to at any time revoke the right of any such person or corporation to use any such space, either in whole or in part.

**2101. Permits.]** Such permits shall also be conditioned upon the grantee keeping the sidewalk in question in good condition and repair, and clean by sweeping and by keeping the same free from snow and ice. All such repairing and cleaning shall be done in accordance with regulations of the department of public works.

**2102. Street corners—use by city.]** No permit shall be granted for the permanent use and occupancy of so much space under the sidewalks at the corner of streets as may be necessary for hydrants, lamp posts, or for access to the same, and such space shall be specified and reserved in all cases for the use of the city whenever it may require the same for any purpose.

**2103. Penalty.]** Any owner, builder or other person who shall, in violation of this article, occupy or use any part of the public street beneath or under any such sidewalks, or included within the sidewalk lines, or if there be no such sidewalk, shall occupy or use below the grades, such part thereof as comes within the sidewalk lines of such street, without a permit first had and obtained under this article, shall be fined not less than twenty-five dollars for each offense.

**2104. Opening covered.]** Every opening in any vault or coal hole or aperture in the sidewalk over such coal hole or vault shall be covered with a substantial iron plate with a rough surface to prevent accidents, and the entire construction of such coal holes and vaults shall be subject to the directions and supervision of the commissioner of public works, or such other person as the city council may designate.

**2105. Liability of owner.]** The owner or person in possession of the abutting premises, in front of which a coal hole or vault is thus permitted to be constructed shall be held responsible to the city for any and all damages to persons or property in consequence of any defect in the construction of such vault or coal hole, or for allowing the same, or any portion thereof, to remain out of repair, and such owner shall be required to keep such vault or coal hole, its walls and coverings, in good order at all times.

**2106. Liability to city.]** The person in possession of any premises abutting on such a vault or coal hole shall be held responsible to the city for any and all damages occasioned to persons or property in consequence of the aperture in the sidewalk being left exposed and

uncovered, or in consequence of the covering thereof being left insecure or unfastened.

**2107. Vault cover secured.]** No person shall remove or insecurely fix, or cause or procure or suffer or permit to be removed or to be insecurely fixed, so that the same can be moved in its bed, any grate or covering of any coal-hole, vault or chute under any street, sidewalk or other public place under a penalty of not less than ten dollars nor more than fifty dollars for each offense: Provided, that nothing herein contained shall prevent the owner or occupant of the building with which such coal hole, vault or chute shall be connected from removing the grate or covering for the proper purpose of such openings, provided he incloses such opening or aperture, and keeps the same inclosed while such grate or covering shall be removed, with a strong box or curb at least twenty-four inches high, firmly and securely made: Provided, further, that he shall not remove such grate or covering until after sunrise of any day, and shall replace such grate or covering before one-half hour after sunset.

**2108. Cess-pool, oil, etc., excluded.]** No cess-pool shall be constructed or located for use, or kept or operated, and no explosive substance or inflammable oil or substance shall be stored or kept for any purpose under any sidewalk in this city, and no excavation shall be ventilated into the streets, unless the aperture or ventilating hole or opening shall be securely covered as herein provided.

**2109. Construction changed.]** Whenever any coal-hole, vault or elevator under any sidewalk, or any aperture constructed in any sidewalk, is not covered or secured as herein provided, or in the opinion of the commissioner of public works is unsafe or inconvenient for the public travel, said commissioner may order the same to be placed in a safe condition satisfactory to him; and if the same shall not be done within two days from the service of notice on the owner or person in possession of the premises, the commissioner may make such change, and the expense thereof shall be paid by such owner or person in possession of the premises.



## CHAPTER LX.

### STREETS.

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#### ARTICLE I.

##### TIRES ON VEHICLES.

**§110. Tires.]** It shall be unlawful for any person or corporation to transport, haul, drive, propel or convey, or cause or permit any of his or its agents or employes to transport, haul, drive, propel or convey any load, weight or burden over or through any of the streets, avenues or alleys of the city, on any wagon or other wheeled vehicle having a tire of less than the following widths for the following loads, in pounds weights, the weight of the vehicle included:

On four-wheeled wagons, or other four-wheeled vehicles:

For any load or burden amounting to two thousand pounds, not less than one inch.

For any load or burden exceeding two thousand pounds, but not exceeding three thousand pounds, not less than one inch and one-half.

For any load or burden exceeding three thousand pounds, but not exceeding four thousand pounds, not less than two inches.

For any load or burden exceeding four thousand pounds, but not exceeding five thousand pounds, not less than two and one-half inches.

For any load or burden exceeding five thousand pounds, but not exceeding six thousand pounds, not less than three inches.

For any load or burden exceeding six thousand pounds, but not exceeding seven thousand pounds, not less than three and one-half inches.

For any load or burden exceeding seven thousand pounds, but not exceeding eight thousand pounds, not less than four inches.

For any load or burden exceeding eight thousand pounds, but not exceeding nine thousand pounds, not less than four and one-half inches.

For any load or burden exceeding nine thousand pounds, but not exceeding ten thousand pounds, not less than five inches.

For any load or burden exceeding ten thousand pounds, but not exceeding eleven thousand pounds, not less than five and one-half inches.

For any load or burden exceeding eleven thousand pounds, but not exceeding twelve thousand pounds, not less than six inches.

For any load or burden exceeding twelve thousand pounds, but not exceeding fourteen thousand pounds, not less than six and one-half inches.

For any load or burden exceeding fourteen thousand pounds, but not exceeding sixteen thousand pounds, not less than seven inches.

For any load or burden exceeding sixteen thousand pounds, but not exceeding eighteen thousand pounds, not less than seven and one-half inches.

For any load or burden exceeding eighteen thousand pounds, but not exceeding twenty thousand pounds, not less than eight inches.

On all two-wheeled wagons or other two-wheeled vehicles used for like purposes, the width of tires shall be double the width of the tires for the same load or burden as herein required for four-wheeled wagons or other four-wheeled vehicles.

Provided that this section shall not be construed as applying to wagons or wheeled vehicles with rubber tires.

**2111. Flat tires.]** All tires hereinbefore provided for shall be what are commonly known as flat or straight-faced tires.

**2112. Weight and capacity of wagons.]** Every wagon or wheeled vehicle required to have tires of widths as prescribed by section 2110 shall have fixed on both sides of such wagon or wheeled vehicle, in some conspicuous place, in plain letters and figures the weight in pounds of such wagon or wheeled vehicle, and also the weight capacity in pounds of same.

**2113. Penalty.]** Any person or corporation violating any of the provisions of sections 2110, 2111 and 2112, shall be fined not less than ten dollars, nor more than fifty dollars for each offense; and a separate offense shall be regarded as having been committed for each day during which such person, or corporation shall continue any such violation.

**2114. When in effect.]** Sections 2110, 2111, 2112 and 2113 shall be in force and effect from and after the first day of January, 1906.

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## ARTICLE II.

### MISCELLANEOUS PROVISIONS.

**2115. Houses numbered.]** It is hereby made the duty of the owner, agent or person in possession of every building in the city to number it in the manner herein provided.

**2116. Numbers heretofore assigned.]** The numbers heretofore as-

signed to lots or houses, except as hereinafter provided, shall remain the numbers of such lots or houses respectively until otherwise changed by the city council.

**2117. House numbers—south side.]** All lots or houses on streets in the division of the city lying south of Twelfth street shall be numbered as follows:

1. All east and west streets shall be numbered from east to west, beginning east; and all north and south streets shall be numbered from north to south, beginning north, and all streets having a northerly or southerly course shall be deemed north and south streets.

2. One hundred numbers shall be assigned to each block on every north and south street, bounded on the north and south by streets designated by numerals, or that would be so designated if such streets were extended so as to intersect such north and south streets. No other intersecting streets, courts or alleys shall be deemed boundaries.

3. Every north and south street aforesaid shall begin at the south line of Twelfth street with the number twelve hundred, increasing towards the south, the even numbers being on the west side of the street.

**2118. House numbers—thirty-fifth ward.]** The lots and buildings on each street running east and west between Madison street and Twelfth street, in the Thirty-fifth ward, and between Forty-eighth and Fifty-second avenues, in said ward, shall be numbered and shall be of record in the map department of the city without reference to the numbers of the north and south streets in said territory; but such numbers of said lots and buildings shall be in sequence with the numbers on the streets running east and west and intersecting Forty-eighth avenue.

**2119. Renumbering—maps.]** The department of public works shall cause to be prepared from time to time maps of the several streets, showing the numbers of all lots or houses and in all cases where the number or numbers of houses or lots shall hereafter be changed by the city council, such houses or lots shall be renumbered during the months of December, January, February, March and April, and at no other time.

**2120. Assignment of numbers.]** The commissioner of public works shall assign or cause to be assigned to each lot or house its proper number and shall inform the owner, agent or person in possession of such premises as to the number thereof at any time upon demand.

**2121. Size of figures required.]** Each of the figures of every such number on any building shall be not less than three inches in length, being so marked as to be distinctly and easily read; such numbers shall be placed in a conspicuous place on the side of or above the front door of the building to which the same are attached.

**2122. Failure to number—penalty.]** Any person being the owner, agent or person in possession of any building now erected in the city, who shall for thirty days neglect or refuse to number any building owned or occupied by him, in conformity with the provisions of this article, shall be fined five dollars, and a further penalty of five dollars for every thirty days thereafter that he shall neglect or refuse so to number such building.

Any owner or occupant of any building hereafter erected in the city, who shall, for thirty days after the same shall be erected, neglect or refuse to number such building according to the provisions of this article, shall be subject to a penalty of five dollars, and a further penalty of five dollars for every thirty days thereafter that such building shall be without its number according to the provisions of this article.

**2123. Alteration of numbers prohibited.]** Whenever any house or building shall have been numbered or renumbered in accordance with the provisions of this chapter such number shall not be changed or altered without the consent of the commissioner of public works, under a penalty of not more than twenty-five dollars for each offense.

**2124. Mistake or conflict in numbering.]** In all cases where house numbers have been assigned on any street in pursuance of this article or any ordinance hereafter passed, it shall be the duty of the commissioner of public works thereafter to adjust and re-assign such numbers as the same may be required from time to time; and in all cases where there is a mistake or conflict in numbers, said commissioner shall direct and make the proper adjustment of the same.

**2125. Names of streets—where placed.]** The names of all streets shall be placed on all street corners, and shall, wherever there are street lamps at the corners of the streets, be painted on such street lamps, or on tin, glass or metallic strips or plates firmly attached to such lamps or lamp posts.

**2126. Cattle—drove limited—permit.]** No person or persons shall, between the hours of seven o'clock a. m. and seven o'clock p. m., of each and every day, drive upon or along any public street or alley within the city more than five head of cattle at any one time; any person who shall violate the provisions of this section shall be fined not less than ten nor more than one hundred dollars for each offense.

**2127. Circus parades—permit.]** No circus, circus and menagerie or menagerie shall be allowed to parade in or along the streets of the city, without first having obtained a permit so to do from the mayor. All permits granted hereunder shall specify the streets in and along which such parade may be made; and no parade of any circus, circus and menagerie, or menagerie, shall be made in or along any streets except those specified in such permit. For each and every violation of this section a penalty shall be imposed of not less than twenty-five

dollars nor more than one hundred dollars and a revocation of any license to exhibit within the city.

**2128. Processions and open-air meetings.]** No parade or procession shall be allowed upon any street or public way in the city, nor shall any open-air public meeting be held upon any ground abutting upon any street or public way in the city, until a permit in writing therefor shall first be obtained from the police department. Application to conduct such parade or procession or open-air meeting shall be made in writing to the superintendent of police by the person or persons in charge or control of, or responsible therefor, and such application shall set forth the route along which such parade or procession is to proceed, the time of starting and the name or names of the person or corporation or society in control thereof or responsible therefor, and the purpose of such parade or procession; and in case of an open-air meeting shall specify the place at which it is desired to hold such meeting, the purpose thereof, and the name of the person, corporation or society in control thereof or responsible therefor, the time at which such public meeting is to be held and the probable duration thereof. Upon such application being made, the superintendent of police shall investigate or cause to be investigated the person, corporation or society making such application and the truth of the statement made in such application regarding the purpose or object of such parade, procession or open-air public meeting, and if he shall find that such parade, procession or open-air public meeting is not to be held for any unlawful purpose and will not in any manner tend to a breach of the peace, or unnecessarily interfere with the public use of the streets and ways of the city or the peace and quiet of the inhabitants thereof, he shall issue such permit to the person, corporation or society making application therefor, without fee or charge.

**2129. Obstructions—removal.]** The commissioner of public works is hereby authorized to order any article or thing whatsoever which may incumber or obstruct any street, alley, public landing, wharf or pier within said city to be removed; if such article or thing shall not be removed within six hours after notice to the owner or person in charge thereof to remove the same, or if the owner cannot be readily found for the purpose of such notice, he shall cause the same to be removed to some suitable place, to be designated by the said commissioner. The owner of any article so removed shall forfeit a penalty of not more than ten dollars, in addition to the costs of such removal.

**2130. Obstructions—sale authorized.]** Any article or thing which may be removed in accordance with the preceding section, if of sufficient value to more than pay the expenses thereof, shall be advertised ten days and sold by the department of public works, unless the same shall be sooner reclaimed, and the penalty and cost paid by the

owners thereof. The proceeds of such sale shall be paid into the city treasury and the balance, if any, after deducting the penalty and costs, shall be paid to any person or persons furnishing satisfactory proof of ownership.

**2131. Obstructions — vehicles.]** No person being the owner or having the charge or control thereof shall permit any wagon, sleigh, sled, carriage, or vehicle of any kind or description, or any part of the same, without horses or other beasts of burden attached, to remain or stand in any street of this city, under a penalty of not less than one dollar, nor more than twenty-five dollars for each offense, and any such wagon, sled, sleigh, carriage, or vehicle, or any part of the same, may be removed by the department of public works or any police officer as provided in the two foregoing sections.

**2132. Sales on street prohibited.]** No person shall make a stand or stopping place within any street or alley in the city for the purpose of exhibiting for sale, or for the purpose of selling or offering for sale, any horses, mules or cattle, or any wagon, carriage or other vehicle drawn by either of the animals aforesaid, under a penalty of not less than five dollars nor more than one hundred dollars for each offense.

**2133. Conveyance of spars.]** It shall not be lawful for any public cartman or any other person to cart or transport through any of the streets of said city, any planks, poles, spars, timber or other thing exceeding thirty feet in length, except on a suitable truck or other vehicle, and such plank or other thing shall be placed lengthwise thereon, so as not to project at either end beyond the line of the side or width of such truck or other vehicle.

**2134. Blockade—police duty.]** Whenever from any cause, any street or alley of the city shall be obstructed by a press of teams attached to vehicles, loaded or otherwise, the mayor, or any alderman or police officer may give such directions in regard to the removal thereof as may be required by the public convenience. Any person or persons refusing or neglecting to obey such directions shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

**2135. Deposit of material—unloading and loading car.]** No person or corporation shall be allowed to deposit or place in the street any lumber or other material, nor load or unload any car from the street, nor erect or maintain any switch house or other building upon any street, highway or alley within the city, except by permission of the commissioner of public works given in accordance with the provisions of the ordinance of this city. Any person or corporation violating any provision of this section shall be fined not less than five dollars nor more than ten dollars for each offense.

**2136. Wagon boxes to be tight.]** Any person who shall be engaged in drawing upon any public street crushed stone, sand, gravel,

sawdust, ashes, cinders, lime, tanbark, shavings, waste paper, ice, mortar, earth, rubbish, manure or other loose material likely to sift, fall or be blown upon the streets, shall convey and carry the same in tight wagon boxes, and in case the same fall or be scattered in any street such person shall cause it to be forthwith removed; any person violating any provision of this section shall be fined not more than five dollars for each offense.

**2137. Wagon boxes—overloaded.]** Any person causing any cart, wagon or other vehicle to be loaded and heaped up so that the contents or any part thereof shall be scattered in any street, or other public place in the city, shall be fined not more than five dollars for each offense.

**2138. Injury to pavements.]** No person shall injure or tear up any pavement, side or cross walk, or any part thereof, dig any hole, ditch or drain in, or dig or remove any sod, stone, earth, sand or gravel from any street, alley or public ground in the city, without having first obtained written permission from the department of public works given in accordance with the provisions of the ordinances of the city; or hinder or obstruct the making or repairing of any public improvement or work ordered by the city council, or being done under lawful authority for the city, under a penalty for each offense of not less than ten dollars nor more than one hundred dollars.

**2139. Permits for opening streets—city inspection.]** The commissioner of public works shall not issue any permit for opening any street, alley or other public way by any person or corporation until he shall have been fully advised of the time and place of such opening and the purpose thereof, and he may, if in his opinion it is necessary, require that the work to be done under authority of such permit be supervised and inspected by a city inspector, to be designated by said commissioner. It shall be the duty of such city inspector to see that any pavement which may be displaced by reason of any work done under such permit is put back, restored, and replaced in proper shape and condition and that the surface of any street, alley, or other public way which may be opened or otherwise disturbed under the authority of any such permit be restored to a condition equally as good as it was in before being opened or disturbed under authority of such permit. Such inspector shall also see to it that any person or corporation to whom any such permit shall have been issued does not cut any plank or stringer underneath any street pavement. The commissioner of public works shall charge the expense of such supervision and inspection by such city inspector to the person or corporation to whom such permit was issued and the amount of such expense shall be paid by such person or corporation.

**2140. Underground work on paved streets.]** Any person or corporation that hereafter desires to lay any pipes, conduits, tunnels, wires or conductors, or do any other underground work whatever in

any paved street, more than thirty days after confirmation of any special assessment for the paving of such street, shall lay or do the same between the lot and curb lines or in the nearest alley contiguous to such paved street.

**2141. Wires in conduits—system.]** When any poles and wires are to be removed from any street, each person, or corporation maintaining such poles or wires shall, upon notice from the commissioner of public works and city electrician, proceed to install the necessary conduits for its wires and appliances in the manner hereinafter provided.

A combination conduit system shall be constructed consisting of such duct space as may be required by each person, or corporation, the ducts for each to terminate in a separate manhole, and to which no one except their own employees shall have access. Only such persons, or corporations having a franchise from the city council authorizing a conduit system shall have the right to duct space.

**2142. Material—cost of conduits.]** The conduits shall be constructed of some approved form of clay sections which will admit of varying the number of ducts as conditions may require and maintain a uniform construction on all streets. The exact character of the material used shall be decided upon by such companies that are to occupy a part of conduit space. Should they fail to agree the city electrician shall designate what material and class of construction shall be used, and his decision shall be final.

The cost of constructing the conduits shall be divided pro rata per duct foot of space required, and where individual lateral connections are required the entire cost of such laterals shall be paid for by the company requiring them. A conduit in any street may be constructed by any one of the companies requiring duct space, but the option of constructing such conduit shall be with the company requiring the most space and paying the largest proportion of cost.

**2143. Plans.]** When a conduit system is decided upon for a street, or part thereof, plans shall be drawn showing the construction in detail, exact space occupied, and location in the street. Such plans must be approved by the majority of those requiring space in the conduit and must be approved by the city electrician or some one authorized by him to approve the plans.

**2144. Form of construction.]** A standard form of construction shall be adopted and approved by the commissioner of public works, and such standard construction shall be followed wherever conditions will permit.

**2145. Bridges over streets connecting with elevated railroad structure.]** The construction of passageways, bridges, platforms, and structures of any kind or nature whatsoever extending over any public street or sidewalk and connecting and joining any elevated rail-



way or station in the city with any building or buildings on property adjacent to or fronting on any such elevated road, is hereby declared to be a public nuisance.

**2146. Removal of.]** All passageways, bridges, platforms, and structures of every kind and nature designated in the preceding section and heretofore erected, or now in process of erection, shall be forthwith torn down and removed, and no such structure of any kind or nature shall be permitted to be built or erected in the future.

The commissioner of public works is hereby ordered and directed to remove and take down, or cause to be removed and taken down, forthwith, all such structures, and he is further ordered and directed to prevent the erection or maintenance of any such structures in the future.

**2147. House moving—delay.]** The owner of any building or the contractor for its removal, or either of them, who shall suffer the same to be or remain in any of the streets or alleys, or upon any of the public grounds of the city for any time longer than may be specified in the permit of the commissioner of buildings, shall be fined not more than ten dollars for each offense and every twenty-four hours such building shall remain in any such street, alley or public grounds shall constitute a separate and distinct offense.

**2148. Proper obstructions.]** It shall be lawful for any person employed to pave or repave any street in the city, to place proper obstructions across such street for the purpose of preserving the pavement then newly made or to be made, until the same shall be fit for use.

**2149. Displacement of proper obstructions.]** No person shall without the consent of the commissioner of public works in writing, or without the consent of the person superintending such paving, throw down, displace or remove any such obstruction mentioned in the last preceding section, under a penalty of not more than fifteen dollars for every such offense.

**2150. Length of obstruction—time limit.]** Nothing contained in this article shall be construed to authorize any person to stop up or obstruct more than the space of one block and one intersection at the same time in any one street, or to keep the same so stopped up for more than two days after the pavement is finished.

**2151. Signal lights.]** Any person having the use of any portion of the street or sidewalk for the purpose of erecting or repairing any building, or for any other purpose, shall cause two red lights to be placed in a conspicuous place, one at either end of such obstruction, from dusk until sunrise in the morning, each night during the time such obstruction remains.

**2152. Paving—duty of contractor—lights.]** It shall be the duty of every person engaged in digging in any street, in paving any

street, building any sewer or drain, or trench for water-pipes, in any of the public streets, under a contract with the city, made through either or any of the departments of the said city, or by virtue of any permission which may have been granted by the city council or any department, or either of them, where such work, if left exposed, would be dangerous to passengers, to erect a fence or railing at such excavations or work in such a manner as to prevent danger to passengers who may be travelling such streets, and to continue and uphold such railing or fence until the work shall be completed, or the obstruction or danger removed. And it shall also be the duty of such person to place upon such railing or fence at sunset suitable and sufficient lights and keep them burning through the night during the performance of such work, under a penalty of not more than two hundred dollars for every violation of the provisions of this section.

**2153. Preceding section to apply—when.]** The provisions of the preceding section shall apply to every person who shall place building materials in any of the public streets or avenues, or be engaged in building any vault, or constructing any lateral drain from any cellar to any public sewer, or who shall do or perform any work causing obstructions in the public streets, by virtue of any permit from any executive department; and also to all city officers and employes engaged in performing any work in behalf of the city, whereby obstructions or excavations shall be made in the public streets.

**2154. Fences—how erected.]** All railings or fences erected on streets or public ways, as required by this article for the protection of the public, shall be in each case erected and maintained to the satisfaction and approval of the commissioner of public works.

**2155. Who liable for damages.]** In all cases when any person shall perform any of the work mentioned in the preceding sections of this article, either under contracts with the city or by virtue of permission obtained from the city council, or either of the departments in accordance with the provisions of the ordinances of the city, such persons shall be answerable for any and every damage which may be occasioned to persons, animals or property, by reason of carelessness in any manner connected with such work.

**2156. General penalty.]** Any person who shall violate, neglect, or refuse to observe any of the provisions of this article, shall be fined not less than five dollars nor more than twenty dollars for each offense.

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### ARTICLE III.

#### RULES OF THE ROAD.

**2157. Vehicle overtaking another.]** Any vehicle overtaking another vehicle shall pass on the left side of the overtaken vehicle.

**2158. Overtaken vehicle to turn to the right.]** When requested so to do any driver or person having possession, charge, or control of any vehicle traveling on any street or public way in the city shall as soon as practicable turn to the right, so as to allow any overtaking vehicle free passage to the left of the overtaken vehicle.

**2159. Vehicles meeting.]** In all cases of persons meeting each other in vehicles in any highway or thoroughfare, or upon or near any bridge, each person so meeting shall in all cases turn off and go to the right side.

Provided, however, that this section shall not apply to any case where it is impracticable from the nature of the ground for the driver of any such vehicle to turn to the right.

**2160. Vehicle turning corner.]** Before turning the corner of any street or public way the driver or person in possession, charge, or control of any vehicle being driven or propelled around such corner shall give a signal by raising his hand or whip so that such signal can be plainly seen from behind such vehicle and from the side toward which the turn is to be made, and such signal shall be given in a manner which shall plainly indicate the direction in which such vehicle is about to turn. In turning corners to the right vehicles shall turn to the right of the center of the street. In turning corners to the left vehicles shall also pass to the right of the centre of the intersection of the two streets.

**2161. No vehicle to stop in street except near curb.]** Except in an emergency or for the purpose of allowing another vehicle or pedestrian or pedestrians to cross, no vehicle shall be permitted to stop in any street or public way in the city except near the curb thereof, and when it is desired to stop any vehicle being driven along the street, before such vehicle is stopped, the driver or person in possession, charge, or control thereof shall give a signal in such a manner as to be plainly seen from the rear, either by raising his hand or whip or by giving some audible signal which shall plainly indicate an intention and desire to stop the vehicle of which he is in charge.

**2162. Vehicle not to start or turn from curb until signal is given.]** No vehicle standing at or drawn alongside of the curb of any street or public way shall be permitted to start or turn from such curb until the driver or person in possession, charge, or control of such vehicle shall have given a signal which can be plainly seen from the rear of such vehicle and from the side toward which he is about to turn; which signal may be made either by raising the hand or whip or by giving an audible signal in such a manner as to plainly indicate his intention and desire to start or turn from such curb and the direction in which such turn is to be made.

**2163. Duty of police to enforce rules of the road.]** It shall be the duty of the members of the police department to enforce the provi-

sions of this article and to see that the rules herein laid down are strictly enforced, except in case of an emergency. In such case these rules may be waived and the discretion of the policeman or policemen on duty at the particular point where such emergency shall arise shall be exercised so as to prevent accident, a blockade, or any impeding of traffic.

**2164. Rules of the road not to apply to street cars.]** The provisions of this article shall not be held to apply to street cars or any vehicle which from its nature and construction is required to proceed in, upon and along the streets of the city on fixed tracks.

**2165. Penalty.]** Any person who shall be in possession, charge, or control of any vehicle, whether propelled by animal power or otherwise and driven or propelled in, upon, or along the streets or public ways of the city, who shall violate any of the provisions of this article or who shall neglect, fail, or refuse to comply with any of the provisions of this article or with any order or direction of any policeman on duty upon or along any of the streets or public ways of the city, when such order is given for the purpose of carrying into effect the provisions or any of the provisions of this article, shall be fined not less than five dollars nor more than one hundred dollars for each offense.

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#### ARTICLE IV.

##### POLES, WIRES, AND CONDUCTORS.

**2166. Permit to erect required.]** No person or corporation shall erect, construct, maintain or use any pole, line or wire, or electric conductor of any description whatever within the city, without first having obtained a permit therefor, under a valid and existing ordinance, from the commissioner of public works, which permit shall be countersigned by the city electrician, under a penalty of one hundred dollars for each and every offense; and each and every day any such telegraph pole, line or wire, or electric conductor, shall be maintained or used after the first conviction shall constitute a new and separate offense.

**2167. Requirements before permits can be issued.]** All applications for permits to erect poles in the streets and alleys of the city shall provide that the city may use the poles to be so erected and attach thereto such necessary cross arms, wires or other electrical appliances as may be deemed necessary for the electrical service of the city, and no permit shall be issued by the commissioner of public works for the erection of such poles, in which the application and permit does not provide for the privileges required by the city as herein contained.

**2168. Fees.]** A fee of two dollars shall be charged for each permit issued by the commissioner of public works for the erection of all poles, lines, or wires, or electric conductors of any description whatever, or for any laying of underground electrical conduits or the placing of conductors therein.

Said fees shall be demanded by the city electrician before he countersigns any such permit and shall be paid to the city collector.

**2169. Removal of poles—wires underground.]** No permission or authority shall be given to any person or corporation to erect any pole, or poles, for telegraph, telephone or electric light purposes, or for the purpose of stringing thereon wires, cables, or conveyors for the transmission of sound or signal, or of heat, light or power, upon or along any street, alley or public way, within the present city limits, except upon the express provision that such poles and conductors are to be and will be removed forthwith whenever the city council shall order such removal. Provided, however, that nothing in this article shall apply to any pole, or poles, used solely for the carrying and support of its overhead contact trolley wires by any street railway company under the authority of any ordinance of the city.

**2170. Location.]** Such wires or conductors shall in no case be placed at a greater distance from the curb-stone separating sidewalks from carriageway than four feet, except in crossing streets running transverse to the direction of the said lines, when such crossing shall be made in the shortest straight line, or in making necessary connections with buildings and stations.

**2171. Traffic—not to impede.]** The method employed by laying said conductors shall be such that it will at no time be necessary to remove so much of the pavement, or to make such excavation, as to materially impede traffic or passage upon sidewalk or street during the operation of laying or repairing said conductors, except when in crossing streets transversely, where it shall be permitted to remove the pavement for a width not exceeding two feet, and in the nearest straight line from corner to corner. In no case during the general hours of passage and traffic shall passage be interrupted thereby for a longer period than one hour.

**2172. Supervision—space.]** The work of removal and replacement of the pavements in any and all of the streets, avenues, highways and public places in and through which the wire of any company shall be laid shall be subject to the control and supervision of the commissioner of public works; excavations in any and all of the unpaved streets, avenues, highways or public places shall also be subject to like control and supervision. The space selected for placing said wires, in every case being limited as to direction and general position by the foregoing provisions, shall not exceed two feet in width by two feet in depth.

**2173. Leasing space in city conduits authorized.]** The city elec-

trician is hereby authorized to lease, as hereinafter provided, such space in city conduits, manholes, lateral connections, tunnels and other parts of the city conduit system, as may not now be occupied for municipal purposes, or may not hereafter be required for municipal purposes: Provided, such leasing and the use of space in such city conduits, or parts thereof, by any lessee, shall not interfere with the use of such conduits for municipal purposes. Also, provided, that no person or corporation shall have the exclusive privilege or use of any conduit, conduits or tunnels.

**2174. How leased.]** No space in any city conduit, or part thereof, or connection thereto, shall be leased to any person or corporation under the authority of the preceding section for any other purpose than that of placing wires or cables therein for the purpose of transmitting electric current for power, light, heat or signal purposes; and no such space shall be leased to any person, or corporation, under the authority of said section, unless such person, or corporation, desiring to lease same, shall first have obtained permission and authority from the city council of the city to lay, maintain and operate, in the streets of the city, the wires or cables it is proposed to place in the space it is desired to lease in the city conduits or connections thereto; and no lease shall be made, under the authority of the preceding section to any person, or corporation for a longer period than one year.

**2175. Charge for work.]** The city electrician is hereby authorized, when any lease has been made by any person or corporation for the use of space in any city conduit, or part thereof, or connection thereto, under the authority of this article, to perform the work of placing the wires or cables of such lessee in such conduits, or parts thereof, and to make a charge to such lessee, for the performance of such work, of an amount equaling ten per cent in excess of the actual cost of the work to the city.

**2176. Rental.]** Any person or corporation leasing space in any city conduit, or part thereof, or connection thereto, under the authority of this article, shall pay to the city, as rental for such use, according to the following schedule:

For each telephone wire not exceeding six hundred feet in length, not less than twelve dollars per year.

For each additional three hundred feet in excess of the first six hundred feet of telephone wire, not less than three dollars per year.

For each No. 6 electric light wire, or wire of a smaller diameter than No. 6, for each six hundred feet, not less than twenty dollars per year.

For electric light wire of a larger diameter than No. 6, a proportional charge per year shall be made, based on the cross section of No. 6 wire at the rate of twenty dollars per six hundred feet per year.

For each wire No. 14 or less, used for signal or other purposes, not less than six dollars per six hundred feet per year.

The measurement of all wires laid, under the authority of this article, shall be made with Brown & Sharpe's gauge.

**2177. Lease to be approved by comptroller.]** The leases herein authorized to be made by the city electrician shall, before becoming of any force and effect, be approved by the city comptroller, and all payments to be made under such leases, and all payments to be made for any work done by the city electrician, under the authority of this article in placing or repairing wires or cables for lessees of space in city conduits, shall be made to the city collector; and every lease of space made under the authority of this article, shall provide for the payment of the rent therein stipulated to the city collector in advance, and the amount of rent stipulated to be paid in any lease shall be paid to said collector before said lease shall be approved.

**2178. Rules and regulations.]** The city electrician shall make such rules and regulations as he may deem necessary or advisable, from time to time, regarding the character of wires, the insulation thereof, and the manner of installation and maintenance of same by the lessees of space. Provided, however, no such rules or regulations shall be in derogation of or in conflict with the general ordinances of the city concerning the inspection of electrical apparatus, or the installation of wires to be used for electrical purposes or the insulation thereof.

## CHAPTER LXI.

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### ARTICLE I.

#### SIGNS.

**2179. Projection.]** No person shall place or suspend from any building, structure, lot or place, any goods, wares or merchandise whatever, or signs other than electric signs as hereinafter provided, or any other thing, so that the same shall project from the wall or front of such building, structure, lot or place, into the street or over the sidewalk.

**2180. Penalty.]** Whoever shall violate any of the provisions of the preceding section shall be fined not less than five dollars nor more than fifty dollars for each offense.

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### ARTICLE II.

#### ELECTRIC SIGNS.

**2181. General requirements—definition.]** It shall be unlawful for any person or corporation to erect or maintain over any sidewalk, street, avenue, alley, or public way in the city any electric sign except in accordance with and pursuant to the provisions of this article.

For the purposes of this article an electric sign is hereby declared to be any sign constructed as follows: signs all or part of the letters of which are made in an outline of incandescent lamps; transparent glass signs illuminated with electric lamps, and signs with painted, flush or raised letters and having a border of incandescent lamps. The number of incandescent lamps for each side of any such electric sign shall be not less than one lamp to each one and one quarter square feet of sign surface on each illuminated side of such sign.

**2182. Inspection fees.]** The owner or person having charge or control of any sign authorized by this article shall pay for the use of the city an annual inspection fee to cover the expense of inspection of such sign, the amount of such fee to be computed according to the following classification and schedule:

#### PROJECTING SIGNS.

The fee for all signs projecting at right angles or obliquely from



the building against which same are placed, whether such signs are vertical or horizontal, and not being flat signs as hereinafter described, shall be computed at the rate of fifteen cents per annum per square foot of sign surface on each illuminated side of such signs.

No electric sign shall be permitted to project beyond the curb line. No projecting electric sign exceeding six feet in length in its longest dimension shall exceed half its length in width.

#### FLAT SIGNS.

The fee for all signs placed against a building and running parallel thereto and not projecting obliquely or at right angles therefrom shall be computed at the rates provided in the rules of the department of electricity as adopted and approved by the city council.

#### TEMPORARY SIGNS.

The fee for electric signs installed for temporary use for special occasions not to exceed thirty days, shall be computed at one fourth of the annual rate fixed for the particular type or style of sign, whether projecting or flat.

2183. Application—permit.] Any person or corporation desiring to erect and maintain an electric sign over any sidewalk, street, alley, or public way in the city shall make application to the city electrician for that purpose on a printed form to be furnished therefor by the department of electricity, setting forth in such printed form such information as is required by said department. Such application when made shall be submitted by the city electrician to the commissioner of public works for his approval as to the location of such sign, and when the approval of the commissioner of public works shall be placed upon such application as to the location thereof, the city electrician shall issue to such applicant, upon the payment by such applicant to the city collector of the inspection or permit fee as herein fixed, a permit in writing authorizing such applicant to erect a sign at the location designated in such application and of the style or design described therein. Upon the completion of the work of erecting such sign under such permit the applicant shall forthwith notify the city electrician, who shall thereupon cause an inspection of such sign to be made; and if he shall find that such sign has been constructed and erected in accordance with and pursuant to the provisions of this article he shall thereupon issue to such applicant a permit in writing authorizing such applicant to operate and maintain the sign so erected for the period of one year from the date of the issuance thereof; such permit to be issued without further cost or expense to the applicant other than the fees hereinbefore provided.

The use of electrical current by such applicant in connection with

such sign previous to the issuance of the permit last described, is prohibited, and no electrical current shall be turned on or into such sign previous to the issuance of such permit except by order of the city electrician for the purpose of testing the same to see whether it is constructed in accordance with and pursuant to the provisions of this article.

No alteration shall be made on any sign erected or maintained under the authority of this article unless all the provisions hereof are fully complied with and unless a permit expressly issued for the purpose of allowing such alteration be first secured from the city electrician.

**2184. Location—time of illumination.]** Every sign erected under and pursuant to the provisions of this article shall be placed at least nine feet above the surface of that part of the public way any such sign overhangs, and the portion of any such sign nearest to the building against which it is placed shall not be a greater distance than two feet from such building.

All sides of every such sign designed to be illuminated shall be illuminated each and every night for a no less period of time than from dusk until the hour of 9:30 p. m.

The authority granted for the erection of any such sign may be revoked at any time by order of the mayor or of the city council, and any inspection or permit fees paid to the city for such sign shall not be refunded in case of any such revocation.

**2185. Compliance with rules.]** Every sign erected and maintained under and pursuant to the provisions of this article shall comply with the provisions of this article and with the rules and regulations of the department of electricity providing for the installation of wires and apparatus for electric lighting, heat, and power and for the construction and installation of electric signs and displays.

**2186. Penalty.]** Any person or corporation who shall erect or maintain an electric sign or use any electric current in any sign in violation of any of the provisions of this article shall be fined not less than fifty dollars nor more than one hundred dollars for each offense and shall be fined a further sum of ten dollars for each and every day on which he or it shall permit or cause any such sign to be erected or maintained or any electric current to be used therein in violation of any of the provisions of this article; and in addition to such penalties the city electrician shall for any violation of any of the provisions of this article compel the cutting off and stopping of electric current supplied to any such sign, and if deemed necessary or advisable by him he shall order such sign removed.

## CHAPTER LXII.

### SOAP FACTORIES.

**2187. License.]** No person or corporation shall carry on the business of manufacturing soap within the city or within one mile of the limits thereof, without first having obtained a license for such business as hereinafter provided for each soap factory conducted by such person or corporation.

**2188. Application—contents.]** Any person or corporation desiring to engage in the business of manufacturing soap or conducting a soap factory shall file with the mayor an application in writing containing the full name of the person or corporation, and the location of the place of business for which such license is desired.

**2189. Fee—notice of change in location.]** Upon compliance with the foregoing section and the payment to the city collector of an annual license fee of three hundred dollars, any such applicant shall be entitled to a license to carry on said business. If any change be made in the location of the place of business covered by any license issued hereunder, notice thereof shall be given to the city collector.

**2190. Penalty.]** Any person or corporation violating any of the provisions of this chapter shall be fined not less than one hundred dollars nor more than two hundred dollars for each offense.

## CHAPTER LXIII.

### STATIONARY ENGINEERS.

**2191. Board of examiners created—qualifications—duty.]** There shall be appointed by the mayor, by and with the advice and consent of the city council, a board of examiners, consisting of three practical engineers, who shall be competent judges of the construction of steam boilers and engines, and experienced in their operation, whose duty it shall be to examine applicants for licenses as engineers and boiler or water tenders in accordance with the rules and regulations of this chapter, and to issue to such applicants as are found qualified, certificates of qualification. Each certificate so issued by them shall expire one year from the date of issue.

**2192. Rules and regulations—daily sessions.]** Said board of examiners shall be provided with suitable quarters by the commissioner of public works. Said board shall make and enforce such rules and regulations for its government and that of its employees as may be deemed proper and desirable, not inconsistent with the provisions of this chapter. Said board, or a majority thereof, shall hold daily sessions, of such duration as may be deemed requisite, between the hours of nine o'clock a. m. and ten o'clock p. m., for the purpose of examining and determining the qualifications of applicants for licenses as engineers or as boiler or water tenders as provided herein.

**2193. Examination—license—license fee.]** The board of examiners, or a majority thereof, shall have power to examine into the qualifications of applicants, grant licenses, and, for cause, suspend or revoke the same. Every application for a license shall be made on the printed blanks furnished by the board of examiners, and shall set forth the name, age and citizenship of the applicant, and the extent of his experience. An application for an engineer's license shall be accompanied by a fee of two dollars and that for a boiler or water tender's license shall be accompanied by a fee of one dollar.

**2194. Applicant's qualifications.]** An applicant for an engineer's license shall be a machinist or engineer, having at least two years' practice in the management, operation or construction of steam engines and boilers. An applicant for a boiler tender's license shall be a person who has a thorough knowledge of the construction, management and operation of steam boilers. Each engineer and boiler or water tender, so to be licensed, shall be at least twenty-one years of age, shall be of temperate habits and good character, all of which

shall be vouched for in writing by at least two citizens of Chicago, or shall be verified under oath by the applicant when required by the board of examiners.

**2195. License—suspension—revocation.]** The board of examiners shall have power to suspend the license of an engineer or of a boiler or water tender for permitting water to get too low in the boiler; for carrying a higher pressure of steam than allowed by law; for an absence from his post of duty; or for any violation of any of the provisions of this chapter, or other neglect or incapacity; Provided, however, that no license shall be suspended or revoked without first giving the accused person an opportunity to be heard in his own defense. When the license of an engineer or boiler or water tender shall be revoked for the first offense, no license shall be issued to him for thirty days thereafter; for the second offense for ninety days; for any offense thereafter his license shall be permanently revoked.

**2196. License—attestation of.]** Every certificate of license issued to an engineer or boiler or water tender shall be signed by the majority of the board of examiners, and sealed with an imprint of the board's seal and attested by the city clerk.

**2197. Records.]** The board of examiners shall cause to be kept a full and correct detailed record of its official proceedings, including the names of the members of the board, the names, ages, and residences of all applicants for licenses, the number issued and rejected, the number of licenses suspended, renewed or revoked, the cause therefor, and the names of the persons forfeiting licenses.

**2198. Bribery—fraud.]** If a member of the board of examiners, or any person or employe connected therewith, shall at any time, or under any pretense whatever, himself or through any other person or persons receive, or cause to be received, any money, gift or other valuable thing or consideration, for the purpose of officially favoring any applicant, or for the purpose of deceiving or defrauding any person, or shall issue a license authorizing any person to act as engineer or boiler or water tender without first having examined and found him qualified for such service, in accordance with the provisions and conditions of this chapter, then, in such case, the member or members of the board or other person so offending shall be removed from office by the mayor, and ever after be debarred from holding any position, official or otherwise, in the service of the city, and any applicant who shall himself, or through any other person, offer, or cause to be offered, any money or other valuable consideration to said board, or any member thereof, or any person connected therewith, for any official act or favor, shall ever after be debarred from receiving any license under this chapter.

**2199. Unlicensed engineer.]** No steam engine or boiler subject to the provisions of this chapter shall be used, managed or operated in the city, except by an engineer or boiler or water tender as pro-

vided herein, and who shall have been duly licensed as provided herein and who shall have and exhibit a certificate thereof. Any person who shall take charge of or manage or operate any steam engine or boiler, or any portion of a steam plant in the city without a proper and valid license, as provided by this chapter shall, for each offense, be fined not less than twenty dollars nor more than fifty dollars, and any person or corporation owning or controlling any steam engine, boiler or other steam plant, who shall authorize or permit any person without a proper and valid license, as required herein, to take charge of, manage or operate any steam engine or boiler or any portion of a steam plant, shall, for each offense, be fined not less than fifty dollars nor more than two hundred dollars and each day's violation of any of the provisions of this chapter shall constitute a separate offense.

**2200. Duty of board to enforce.]** It shall be the duty of the board of examiners to see that each boiler plant in the city shall have a licensed engineer, or boiler or water tender, or both, as provided herein, in charge at all times when working under pressure, whose certificate of qualification shall be displayed in a conspicuous place in the engine or boiler room, and each engineer or boiler or water tender shall devote his entire time, while boilers are working under pressure, to the duties of the plant under his charge. Any person who has charge of a steam boiler, whose duty it is to keep up the water in such boiler shall be deemed a boiler or water tender, within the meaning of this chapter, but the provisions hereof for the examination, licensing and regulation of boiler or water tenders shall apply only to boiler or water tenders who are in charge of a steam boiler or boilers which are detached from the engine room, or so far removed therefrom or otherwise circumstanced or located as to render it difficult for the engineer in charge of the plant to give such boiler or boilers his personal attention and supervision.

**2201. Exempt persons.]** Engineers in charge of locomotives and engineers or boiler or water tenders in charge of boilers carrying not more than ten pounds pressure of steam per square inch shall be exempt from the provisions of this chapter.

**2202. Report of fees collected, etc.]** The board of examiners shall each day pay over to the city collector all fees, charges, moneys, or valuable consideration of any kind whatsoever paid to or collected or received by said board of examiners of stationary engineers by reason of or for or on account of the performance of any of the duties required to be performed by said board; and each payment shall be accompanied by a report in writing directed to the city comptroller and verified by affidavit of the president or secretary of said board, showing in detail all fees, charges, moneys or valuable consideration of any kind paid to or collected or received by said board during the day preceding the day of such report; and such report shall contain

such other and further information as the city comptroller may require.

In case the receipt from the license fees which shall be paid over by said board to the city collector shall be insufficient to pay the salaries of said board, and the legitimate expenses of the said board, the salaries shall be diminished pro rata according to the amount of the deficiency.

**2203. Neglect to pay.]** Any failure, refusal or neglect on the part of any member of the said board to pay over to the city collector all fees, charges, moneys or valuable consideration of any kind collected or received by him, or to submit a report in writing in manner and form as hereinbefore provided for, shall be construed as a resignation on the part of such member of the said board and the mayor may thereupon declare his office vacant, and appoint a successor.

## CHAPTER LXIV.

### STEAM BOILERS, STEAM PLANTS, SMOKE.

**2204. Department established—chief inspector.]** There is hereby established a department for the inspection of steam boilers and steam plants, the head of which shall be known as the chief inspector of steam boilers and steam plants.

**2205. Appointment.]** He shall be appointed by the mayor by and with the advice and consent of the city council.

**2206. Qualifications.]** The person so appointed shall be well qualified from practical experience in the design or construction and operation of boilers, generators, and superheaters, and their appurtenances, used for generating steam for power, steaming or heating purposes, to enable him to judge of their safety for use as such. No person employed in the department created by this chapter shall be directly or indirectly interested in the manufacture, ownership, or agency of steam boilers or other apparatus or appliances used in the generation or use of steam, which are to be inspected.

**2207. Bond.]** The chief inspector of steam boilers and steam plants, before entering upon the duties of his office, shall execute a bond to the city in the sum of five thousand dollars with sureties to be approved by the mayor, conditioned for the faithful performance of the duties of his office.

**2208. Supervising mechanical engineer.]** There is hereby created the office of supervising mechanical engineer and chief deputy inspector of steam boilers and steam plants. He shall be appointed by the chief inspector of steam boilers and steam plants according to law.

**2209. Bond.]** The supervising mechanical engineer and chief deputy inspector of steam boilers and steam plants, before entering upon the duties of his office, shall execute a bond to the city in the sum of five thousand dollars with sureties to be approved by the comptroller, conditioned for the faithful performance of the duties of his office.

**2210. Chief smoke inspector.]** There shall be a chief smoke inspector who shall be appointed by the chief inspector of steam boilers and steam plants according to law.

Said chief smoke inspector, before entering upon the duties of his office, shall execute a bond to the city in the sum of five thousand



dollars with sureties to be approved by the comptroller, conditioned for the faithful performance of the duties of his office.

**2211. Board of inspectors of steam boilers and steam plants—to inspect city and board of education boilers.]** The chief inspector of steam boilers and steam plants, the supervising mechanical engineer and deputy inspector of steam boilers and steam plants, and the chief smoke inspector shall constitute the board of inspectors of steam boilers and steam plants. The chief inspector of steam boilers and steam plants shall be chairman of said board, and the supervising mechanical engineer and chief deputy inspector of steam boilers and steam plants shall be secretary of said board. Any two members of said board shall constitute a quorum. Said board shall have the same power over all steam boilers and steam plants owned or operated by the city, or the board of education, as over all other steam boilers and steam plants in said city; and all steam boilers and steam plants owned, operated, or controlled by the city, or by the board of education of said city, shall be subject to the requirements of this chapter; and it shall be the duty of said board of inspectors of steam boilers and steam plants to inspect at least once in each year all of such steam boilers and steam plants as are owned, operated, or controlled by the city, or by said board of education and also to preserve a record of the condition of such steam boilers or steam plants as shown by such inspection. No fee shall be charged or paid to said department nor to any employe under said department, for the inspection of any steam boiler or steam plant or for the certificate of inspection issued by said department for any steam boiler or steam plant owned, operated, or controlled by said city or said board of education.

**2212. Duties of the board.]** It shall be the duty of the board to inspect all boilers, tanks, jacket kettles, generators or other apparatus used for generating or transmitting steam for power, or using steam under pressure for heating or steaming purposes, and all other tanks, jacket kettles and reservoirs under pressure of whatsoever kind, except as hereinafter provided, as often as once in each and every year, by making a hydrostatic pressure test where such tests shall be deemed necessary; Provided, that the hydrostatic pressure used in such test shall not exceed the maximum working pressure of said apparatus by more than fifty per cent; and by making a careful external and internal examination. In all cases where hydrostatic pressure test is used an internal examination of said apparatus shall afterwards be made. In certifying the working pressure allowed on each steam boiler, steam generator or other apparatus the same shall be determined by multiplying one-fifth of the lowest tensile strength of any plate in the cylindrical shell of said steam boiler or steam generator or other apparatus by the lowest efficiency of joint in

such cylindrical shell expressed in decimals, and by multiplying the product by the thickness, expressed in inches or parts of an inch, of the thinnest plate in the same cylindrical shell and divide by the radius, also expressed in inches. This sum will be the pressure allowable per square inch of surface.

Any boiler, tank, jacket kettle, generator or reservoir having been in use eight years or more and its condition being such that in the opinion of the inspector the same should be drilled in order that the exact thickness and condition may be ascertained, he shall report the same to the chief inspector of steam boilers, who shall serve the owner or agent with a written notice to show cause to the chief inspector within five days why such boiler, tank, jacket kettle, generator or reservoir should not be drilled.

If, after the owner or agent has been heard, or at the end of five days, the chief inspector deems it necessary that the boiler, tank, jacket kettle, generator or reservoir be drilled, then the boiler, tank, jacket kettle, generator or reservoir may be drilled at points near the water line, and at the bottom of shell of boiler, or such other points in the boiler, tank, jacket kettle, generator or reservoir as the inspecting officer may direct, and the thickness of said material shall be determined thereafter at such annual inspection as the inspecting officer may deem necessary, and the steam pressure or other pressure allowed shall be governed by such ascertained thickness and general condition of boiler, tank, jacket kettle, generator or reservoir. And the drilling and plugging of said holes shall be done at the expense of the owner.

Any boiler may be tested and rated in accordance with the United States Marine Inspection Law governing the inspection of steam boilers. But no boiler, tank, jacket kettle or jacket constructed or re-constructed of boiler plates hereafter, where the same are required, shall have stay bolts of less than seven-eighths of an inch in diameter and pitched more than seven inches apart. And all stationary boilers, tanks, jacket kettles or jackets carrying a pressure of one hundred pounds or over to the square inch, the construction of which requires stay bolts, shall be equipped with hollow stay bolts. All boiler heads made of boiler plate shall be braced with braces, the sectional area of which shall not be less than one square inch each, so pitched that a greater strain than six thousand pounds per square inch of section shall not be carried by any one brace or stay bolt. In computing the strain on braces in flat surfaces the diameter of brace rivets shall be considered. In computing the strain on shells having dished heads the pressure will be figured according to the radius of the heads.

It shall be the duty of the board to see that the boiler or boilers, boiler setting, means of producing draft, smoke connections and fur-

nace or firebox of each boiler inspected by it are of sufficient capacity and so constructed as with proper management to avoid the issuance or emission of dense smoke from any chimney or smokestack connected therewith.

**2213. Emission of dense smoke prohibited—nuisance—abatement of—prosecution—penalty.]** The emission of dense smoke from the smokestack of any boat, vessel or locomotive, or from any chimney or smokestack of any building or premises, in the city, shall be deemed and is hereby declared to be a nuisance and such nuisance may be summarily abated by the chief smoke inspector or any person duly authorized by him for that purpose. The remedy herein provided for abatement, shall be cumulative to the remedies hereinafter provided for by prosecution and fine. Any person or corporation owning or operating any boat, vessel or locomotive and any person in charge possession or control of any boat, vessel or locomotive within the city, who shall cause or permit, dense smoke to issue or to be emitted from the smokestack of any such boat, vessel or locomotive within the city at any time, shall be deemed guilty of a violation of this section and shall be fined not less than ten nor more than one hundred dollars for each offense, and each day on which any such person or corporation owning or operating any such boat, vessel or locomotive, or on which any person in charge, possession or control of any such boat, vessel or locomotive shall cause or permit, dense smoke to issue or to be emitted within the city from the smokestack of any such boat, vessel or locomotive shall be deemed a separate and distinct offense. No prosecution for the emission of dense smoke from any such boat, vessel or locomotive shall be commenced unless within ten days prior to the institution of suit a notice in writing shall have been mailed to the person or corporation owning or operating the boat, vessel or locomotive from which dense smoke has been issued or emitted, or to the person in possession, charge or control of such boat, vessel or locomotive, at the time such dense smoke was issued or emitted. In making proof of a violation of this section by any such person or corporation owning or operating any such boat, vessel or locomotive, or by any person in possession, charge or control of any such boat, vessel or locomotive, it shall not be necessary to prove the issuance or emission of dense smoke for any stated or specific period of time, but proof that at any time of the day or night dense smoke was issued or emitted from the smokestack of any such boat, vessel or locomotive within the city shall be deemed sufficient proof of a violation of this section. Any person or corporation owning or operating, or any person in charge, possession or control of, any building of any kind whatsoever in the city, whether used for trade, office or residence purposes or any other purpose whatever, who shall cause or permit, dense smoke to issue or to

be emitted from the chimney or smokestack of any such building within the city for more than six minutes, whether consecutive or not, within any hour at any time of the day or night, shall be deemed guilty of a violation of this section, and shall be fined not less than ten nor more than one hundred dollars for each offense. No prosecution for a violation of this section on account of the emission of dense smoke from the chimney or smokestack of any building within the city shall be begun against any person or corporation owning or operating such building, or against any person in charge, possession or control of any such building, unless within ten days prior to the institution of suit at least three notices in writing, each notice relating to a separate and distinct offense, shall have been mailed either to the person or corporation owning or operating such building, or to the person in possession, charge or control thereof.

2214. Notices—by whom mailed—what to contain.] The notices herein provided for shall be mailed by the chief smoke inspector, or by some person designated or authorized by him, and such notices shall be, in the case of notice sent on account of the emission of dense smoke from the smokestack of any boat, vessel, or locomotive, substantially as follows, to wit:

"To .....: You are hereby notified than on .... day of ....., A. D., ....., at or about the hour of .... o'clock .. M., dense smoke was seen to issue from the smokestack of (in case of a boat or vessel, setting out, if known, the name or description of such boat or vessel, or, in case of a locomotive, if known, the number and description thereof). You are hereby notified that prosecution for a violation of section 2213 of The Revised Municipal Code of Chicago of 1905 will be commenced against you by the smoke inspector on account of such violation.

.....,  
Smoke Inspector."

In case of the emission of dense smoke from the chimney or smokestack of any building, the notice shall be substantially as follows:

"To .....: You are hereby notified that on the .... day of ....., A. D., ....., at or about the hour of .... o'clock .. M., dense smoke was seen to issue from the smokestack or chimney of the building or premises situated and known as Number \_\_\_\_\_ (or such other description as will serve to identify such building). You are hereby notified that prosecution will be commenced against you by the smoke inspector for a violation of section 2213 of The Revised Municipal Code of Chicago of 1905.

.....,  
Smoke Inspector."

Such notices sent on account of the emission of smoke from any building shall be numbered first, second and third as the case may be.

**2215. Prosecutions for violations—by whom to be instituted.]**

Prosecutions for all violations of this chapter, against persons causing, or permitting, dense smoke to issue or be emitted, from any smokestack or chimney, shall be instituted by the chief smoke inspector. Prosecutions for all other violations of this chapter, against any person or corporation, shall be instituted by either the chief inspector of steam boilers and steam plants or the supervising mechanical engineer and chief deputy inspector of steam boilers and steam plants. All suits for the prosecution of any person or corporation for a violation of any of the provisions of this chapter shall be instituted in the name of the city of Chicago.

**2216. Permit for new plants—plans, etc.]** No new plants, nor any reconstruction of any old plants, for producing power and heat, or either of them, nor any new chimney connected with a steam plant, shall be erected and maintained in the city until the plans and specifications of the same have been filed in the office of and approved by the board of inspectors of steam boilers and steam plants which plans and specifications shall show the amount of work and the amount of heating to be done by such plant and all the appurtenances thereto, including provisions for the complete combustion of the fuel to be used and for the prevention of smoke, and a statement of the kind of fuel proposed to be used. Such plans and specifications shall also show that the room or apartment in which such plant shall be located is provided with doors, windows, air-shafts, fans, and other means of ventilation sufficient to prevent the temperature of such room, apartment, basement, or other portion of such building wherein such steam plant or apparatus is to be used, from rising to a point higher than one hundred and twenty degrees Fahrenheit, or that the atmosphere of any such apartment wherein such apparatus may be located may be entirely renewed every ten minutes. Upon approval of such plans and specifications, a duplicate set of which shall be left on file in said office, and the payment of fees as hereinafter provided, said board shall issue a permit for the installation of such plant or such reconstruction. Such permit shall state the maximum amount of steam pressure to be carried. As soon as the board hereby created has examined the plans and specifications submitted for a new steam plant in a new building and has issued a permit for the installation of same, it shall notify the commissioner of buildings to see that the execution of the construction work on the building in which such plant is to be installed is carried out in conformity with the plans and specifications of the proposed steam plant for the execution of which a permit has been issued, with special reference to the amount of space to be used for such appurtenances, the size and construction

of the chimney or chimneys to be used, and the provisions for ventilation and proper temperature in the engine and boiler rooms.

It shall be the duty of the supervising mechanical engineer and chief deputy inspector of steam boilers and steam plants to examine in detail all plans and specifications that may be submitted to the board, and to report upon the same for approval by the board. All permits shall be issued by an affirmative vote of a majority of the board.

**2217. Duty of owners.]** It shall be unlawful for any person to use any steam boiler or any tank or tanks subject to pressure other than city pressure, until he shall have first procured a certificate from said board that such apparatus may be safely used, and that the boiler or boilers, boiler setting, means of producing draft, smoke connections, and furnace or fire-box are of such size and capacity that they will do the work required, and be capable of being so managed for the purpose of generating steam that no dense smoke shall be emitted from the chimney connected with such furnace or fire-box.

If such owner, agent or person using a steam boiler or tank shall fail to notify said board of his intention to make any alteration, repairs or enlargement of such steam plant, and shall fail to file plans and specifications for the enlargement or alterations of the same, and shall proceed to make such alteration, repairs or enlargement without a permit therefor, he shall be liable to a fine of twenty-five dollars for each day on which he shall have prosecuted such alteration, repairs or enlargement without said permit, and each day's violation shall constitute a separate offense. Provided, however, that minor necessary or emergency repairs which do not increase the capacity of such apparatus or involve any substantial alteration of structure may be made by or under the engineer in charge of such apparatus without permit or report thereof.

If at any time when inspecting a steam boiler, generator or other apparatus used for generating steam for power or heating purposes the inspector of boilers shall find that the furnace or fire-box in which fuel is used for the purpose of generating steam is so constructed or operated as to cause the emission of dense smoke from the chimney connected therewith he shall report to said board the condition of such plant. The owner of such steam boiler, generator or apparatus shall have the right to put in such appliance or make such alterations or use such fuel as in his judgment will prevent the emission of dense smoke, but this shall not constitute a compliance with this chapter unless such appliance or such fuel shall actually prevent the emission of dense smoke.

Provided, that any boilers for heating purposes only, in which the permit specifies that not more than ten pounds of steam pressure to the square inch shall be carried, shall be known as "low pressure boilers."

After the next inspection of such low pressure boilers shall have been made following the adoption of this ordinance inspections thereafter shall be made once in every three years. But all of such low-pressure plants may be inspected at any time thereafter, and without charge, with reference to the provisions for draft, complete combustion or degree of combustion of fuel and prevention of the emission of smoke.

**2218. Exceptions.]** The provisions of this chapter relating to the inspection of boilers, generators or other apparatus carrying other than city pressure shall not apply to such boilers, generators or apparatus while in use or installed in any locomotive, steam or tug boat. The provisions of this chapter relating to the inspection of steam boilers, generators or other apparatus carrying other than city pressure shall be held to apply to any such steam boiler, generator or apparatus in use or installed in any steam roller, steam derrick, steam pile driver, automobile or other movable structure or contrivance of any kind whatsoever used within the city.

**2219. Certificate—record.]** When an inspection of a boiler or boilers, tank or tanks, jacket-kettle, generator or generators, superheater or superheaters, or any apparatus under pressure, has been made, and the same shall be approved by the chief inspector or supervising mechanical engineer and chief deputy inspector of steam boilers and steam plants, he shall make and deliver to the person for whom the inspection was made, upon the payment of the fees hereinafter mentioned, a certificate of such inspection, which shall contain the date of inspection, together with a general description, for what purpose used, the number of try-cocks, steam and water gauges, the pounds pressure at which they may be safely used; which certificate shall be framed and put up in a conspicuous place in the engine or boiler room, and a record of the same shall be made and kept by said board, in a well-bound book or books, indexed alphabetically or by locality.

**2220. Certificate of inspection—permit for new plant, etc.—issuance or possession not to exempt from prosecution for emission of dense smoke.]** The issuance or delivery by the board to any person or corporation of any certificate of inspection herein provided for, or the possession by any person or corporation of any such certificate, shall not be held to exempt any person or corporation to whom such certificate was issued or delivered, or who is in possession or control of any such certificate, from prosecution for any violation of the provisions of this chapter in relation to or concerning the issuing or emission of dense smoke caused or permitted by any such person or corporation. The issuance or delivery by said board of any permit for the construction of any new plant or the reconstruction of any old plant or any part thereof, or for the construction or reconstruction

of any chimney connected with any steam plant, shall not be held to exempt any person or corporation to whom any such permit has been issued or delivered, or who is in possession of any such permit, from prosecution on account of the emission or issuance of dense smoke caused or permitted by any such person or corporation.

**2221. Inspection of repairs.]** It shall be the duty of said inspector, upon an application in writing made by any person or corporation owning, leasing or controlling the use of any boiler, tank, jacket-kettle, generator, or superheater, stating that the same is out of repair or has been repaired, to examine the same when so repaired, and determine if such repairing has been properly done; and it shall be unlawful for any person or corporation to use any boiler, tank, jacket-kettle, generator, or superheater, after the same has been repaired, until a certificate shall have been procured from the inspector to the effect that such repairing has been properly done, and such boiler, tank, jacket-kettle, generator, or superheater may be safely used, except as hereinbefore provided in this chapter.

**2222. Fees.]** The fees for inspection of steam boilers and other apparatus under this chapter shall be as follows:

Class A. Including steam boilers, tanks, jacket-kettles, of a capacity of seventy-five gallons or over, generators, or other apparatus under a pressure exceeding ten pounds per square inch in plants where only one such apparatus is used, five dollars each.

Class B. Steam boilers, generators, or superheaters under pressure exceeding ten pounds per square inch in plants where more than one such is used, five dollars for the first and three dollars for each additional apparatus.

Class C. Tanks and jacket-kettles, of a capacity of seventy-five gallons or over, under pressure in plants where more than one such tank or jacket-kettle is used, one dollar each for all after the first.

Class D. All low-pressure steam boilers as herein described in this chapter, three dollars each.

Class E. The fee for a permit for a new steam plant or for additions to an old plant shall be five dollars for each boiler or engine installed or for the addition or rebuilding of any smokestack or chimney or for any material alteration or change made in such plant. The fees for the inspection of steam boilers and other apparatus above provided for shall be double the respective amounts above specified when an inspection is made on Sunday or any legal holiday at the request of the person or corporation owning or operating said steam boilers or other apparatus.

All fees provided for in this chapter shall be paid to the city collector.

**2223. Exemptions—charitable, religious and educational institutions.]** Said board may, and it is hereby directed and instructed to,



remit all inspection fees charged, or that may hereafter be charged, against any and all charitable, religious, and educational institutions, when the boiler or other apparatus inspected is located in or upon premises used and occupied exclusively by such charitable, religious or educational institution; Provided that such charitable, religious or educational institution is not conducted or carried on for private gain or profit, and provided further, that said board may require every application for the remission of such fees to be verified by the affidavit of one or more taxpayers of the city.

**2224. Charging excess fees.]** If any person acting on behalf of the city under the provisions of this chapter shall take or receive any money or any valuable thing for the purpose of deceiving or defrauding any person or persons, or for the purpose of favoring any person or persons, or if any inspector shall recommend the issue of any certificate of inspection without having at the time stated thoroughly examined and tested the boiler so certified, he shall be fined one hundred dollars for each offense.

**2225. Try-cocks—gauges—force pumps.]** It shall be the duty of every person or corporation owning, leasing, or controlling the use of any steam boiler or boilers, subject to inspection, as hereinbefore provided, to provide and properly affix to each and every one of such boilers a full complement of try-cocks, one water gauge, one fusible plug of good Banca tin, one or more pop safety valves (the area of pop valves shall be in the ratio of one square inch to three square feet of grate surface); Provided, that on boilers used for generating steam for heating purposes only and carrying not more than ten pounds steam pressure, direct weighted safety valves may be used. On each steam boiler or steam generator, or other apparatus subject to inspection, there shall be placed a suitable shut-off or main stop valve so placed as to prevent the water passing into the heating apparatus during the test made at the time of inspection; Provided that shut-off or main stop valves shall be required only in plants to be hereafter installed, and a good and sufficient force pump or other means of supplying the boiler with water; also a good and sufficient safety valve or reducing valve to all tanks or jacket-kettles, properly attached. No stop or shut-off valve shall be placed between a boiler, tank, or jacket-kettle and the safety valve.

After inspection the inspector shall seal all safety valves, and said seal shall not be broken except by authority of said board, except in case of emergency, and when the seal is broken a complete report of the same shall be made to said board within twenty-four hours; and said valve shall be resealed forthwith by said board without charge, provided the circumstances of the breaking by said seal are approved by said board.

**2226. Owners to provide facilities.]** Every person owning or hav-

ing possession or control of any steam boiler, tank, jacket-kettle, generator, or superheater, subject to inspection as aforesaid, shall provide at his own expense proper arrangements and facilities for attaching the instruments of inspection. Immediately before the time set for such inspection, every such person shall remove all scale, dirt, soot, and sediment in, beneath, and around such boiler, shall fill the same with water, when so directed by the inspector, and have all main stop valves and other valves and connections on such boiler or boilers perfectly tight, so that the inspector may be able to apply hydrostatic pressure, leaving all said apparatus in clean condition for inspection.

**2227. Engineer's negligence, maximum pressure, and safety valves.]** Any engineer or other person in charge of a steam boiler or generator who shall negligently or wrongfully endanger the life of any person by permitting the water to fall below three inches above the flues or crown sheet of any boiler, or shall disturb the spring or weight on the safety valve, or break the seal of the safety valve, or tamper with it so as to carry more pressure than allowed by the inspector, or who shall otherwise neglect his duties, shall be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars for each offense, and it shall be the duty of the chief inspector to report the facts to the board of examining engineers.

The safety valves of steam boilers shall not be loaded to sustain more than the maximum pressure allowed by said inspector, and the area of the discharge of each safety valve shall be equal to the full area of the valve, and all safety valves shall be directly open to the atmosphere.

**2228. Manufacturers and dealers—notify inspectors.]** Any person or corporation manufacturing, dealing in, selling or erecting steam boilers, tanks, jacket-kettles, or generators, subject to inspection under this chapter, shall, on the sale or delivery of such steam boiler, tank, jacket-kettle, or generator at any point or locality within the city, notify the said board, giving the name of the owner, name of maker, number and name of street, or otherwise designate the locality of said delivery or sale; shall state also the thickness and quality of the material used in the construction and the brand stamped on the plate.

**2229. Second-hand dealers.]** All steam boiler manufacturers, second-hand steam boiler and junk dealers, and any other person selling second-hand steam boilers, tanks, jacket-kettles, generators, or superheaters, shall, before painting the same, have them inspected by the department of steam boilers and steam plants, and have in their possession a certificate issued by said department, showing the amount of pressure per square inch the said steam boiler, tank, jacket-kettle, generator or superheater is allowed to carry before offering for sale

any second-hand steam boiler, tank, or jacket-kettle, generator, or superheater, and give the buyer the said certificate of inspection. Any person or corporation violating this section shall be fined not less than ten dollars, nor more than one hundred dollars for each offense.

Provided, that any person disposing of a second-hand steam boiler, tank, jacket-kettle, generator, or superheater, which has been in use, shall not be required to secure inspection if said steam boiler, tank, jacket-kettle, generator, or superheater is sold to a dealer in or repairer of such apparatus, but such inspection shall be had before such articles are sold for use.

**2230. Penalty.]** Any person who shall violate any of the provisions of this chapter shall be fined not less than twenty-five dollars, nor more than one hundred dollars for each offense.

**2231. Apparatus — records.]** The city shall provide such instruments, books, papers, and equipment as shall be necessary for the proper performance of the duties of such board, which shall be the property of said city, and which shall be delivered by said board to its successors in office. Said board shall report annually on or before the first day of February to the mayor and city council, and as often as required by said council.

Said board shall prepare and keep in its office a record of each steam boiler, steam generator, tank, jacket-kettle, or other apparatus used for the generation of steam or under pressure other than city pressure, and at the first inspection of any such apparatus under and by virtue of this chapter a number shall be securely stamped upon the same with a steel stamp or die, of not less than one-half inch in height, in a conspicuous and easily accessible place upon said apparatus, which number shall be the office number of such piece of apparatus, and the designation by which the same shall be known in said record after such inspection; and said record shall contain a full description of such piece of apparatus, together with the use for which it is employed, the place where it may be located, the name of the owner, agent, or lessee of said apparatus, together with the amount of pressure allowed by the inspector for the same, and the kind of fuel used, together with the number of trycocks, steam and water gauges, and any special information pertaining thereto, including a record of inspections made.

**2232. Report defects in furnaces and smoke stacks.]** It shall be the duty of the assistant inspectors to report to said board defects in furnaces and smoke-stacks as well as in boilers, and it shall be the special duty of the deputy smoke inspectors to report to said board dense smoke emitted from chimneys, together with the probable causes therefor, determined by them on investigation of the plants connected with such chimneys.

## CHAPTER LXV.

### STEAM WHISTLES.

**2233. Stationary engines.]** No person shall blow or cause to be blown within the city, the steam whistle of any stationary steam plant as a signal for commencing or suspending work, or for any other purpose.

**2234. Chapter construed.]** Nothing in this chapter contained shall be construed as forbidding the use of steam whistles as alarm signals in case of fire or collision, or other imminent danger, nor for the necessary signals by the steam engines of the fire department of the city.

**2235. Penalty.]** Any violation of or failure to comply with any provision of this chapter shall be punished by a fine of not less than five dollars nor more than one hundred dollars for each offense.

## CHAPTER LXVI

### DEPARTMENT OF SUPPLIES.

**2236. Department established.]** There is hereby established an executive department of the city, which shall be known as the department of supplies.

**2237. Business agent — office created — appointment.]** There is hereby created the office of business agent, and the person holding such office shall be the head of said department of supplies and shall be designated as the business agent of the city. He shall be appointed by the mayor by and with the advice and consent of the city council.

**2238. Bond.]** He shall, before entering upon the duties of his office, execute a bond to the city in the sum of fifty thousand dollars, with such sureties as the city council shall approve, conditioned for the faithful discharge of the duties of his office. Provided, however, that all employes under the said business agent, shall be and the same are hereby required to give bonds to the said business agent conditioned for the faithful discharge of the duties of such employes, as follows:

Chief clerk .....	\$10,000 00
Stationer .....	5,000 00
Stockkeeper .....	10,000 00
Storehouse clerks, each .....	5,000 00
Delivery men, each .....	2,000 00
All other employes, each .....	2,000 00

Such bonds to be given with such sureties as the said business agent shall approve.

**2239. Supervision of comptroller.]** Said business agent shall in all things pertaining to his said office, and in the discharge of the duties thereof, be under the direction, control and supervision of the comptroller.

**2240. Purchase of supplies.]** He shall make all purchases of supplies and materials for the use of the city, and shall let all contracts for labor to be performed for the city in cases wherein the cost of such supplies, materials or labor shall be less than the sum of five hundred dollars. Requisitions shall be made for all purchases to be made and all contracts to be let by said business agent as herein

provided, and said requisitions shall be approved in writing by the heads of the departments for which the same are required. Such requisitions shall constitute his authority for all purchases and contracts to be made under the provisions hereof, and shall be filed in his office. Provided, that the commissioner of health shall make all purchases of and let all contracts for medicinal, preventive and curative supplies and materials and such other supplies and materials as require a technical knowledge of medicine, pharmacy or chemistry in their manufacture or preparation for use, for the department of health in cases wherein the cost of said supplies or materials shall be less than the sum of two hundred dollars, without regard to the conditions of this chapter. The said business agent shall be and he here is hereby empowered to sell scrap iron and such other materials belonging to the city as are not available for use; Provided, however, that the value of such materials be less than five hundred dollars. He shall make such sales upon terms most advantageous to the city and to this end he shall procure competitive offers from at least three persons or corporations, and shall accept, in every case, the highest cash offer.

**2241. Care and distribution of stock.]** Said business agent shall be responsible for the care of all stock purchased by him, and shall issue the same upon requisition approved in writing by the heads of the several departments, or by such employes as may be designated in writing by the heads of said departments. He shall charge to the said departments the supplies so furnished at their cost price, and shall render monthly statements to the heads of the said departments of the amounts charged to the respective departments. He shall also present to the comptroller monthly statements showing the total cost of supplies furnished to each department from stock on hand, and the amount thus stated when certified to be correct by the heads of the several departments shall be charged to funds appropriated for the use of said departments. Provided, that all books, blanks, and forms pertaining to the accounting system of the city shall be submitted to the comptroller and approved by him before being purchased by the business agent; and, Provided, further, that all books, blanks, and forms pertaining to the accounting system of the city which are approved and, by the comptroller, marked "Standard" shall be kept in stock.

**2242. Bills.]** Said business agent shall receive all bills for supplies, materials and labor furnished upon orders issued by him, and shall certify to their correctness as to prices, extension and totals. He shall present the same to the heads of the departments receiving such supplies, materials or labor for certification and approval, and when so certified and approved the said bills shall be presented to the comptroller for payment.

**2243. Terms of purchases.]** It shall be the duty of the said business agent to make all purchases upon the most advantageous terms, and to this end he shall procure competitive proposals from at least two responsible persons or corporations, and shall take advantage of the lowest prices quoted for goods of equal value. In all cases wherein is involved the expenditure of sums in excess of two hundred dollars and below five hundred dollars, he shall procure proposals in writing from at least three bidders, which proposals shall be filed with the requisitions pursuant to which the said expenditures are made.

**2244. Record of.]** Said business agent shall keep books of record of all purchases made by him, and of all contracts let by him under the provisions of this chapter.

## CHAPTER LXVII.

### TANNERIES.

**2245. License.]** No person or corporation shall carry on the business of tanning within the city or within one mile of the limits thereof, without first having obtained a license for such business, as hereinafter provided, for each tannery conducted by such person or corporation.

**2246. Application—contents.]** Any person or corporation so desiring to carry on the business of tanning or keeping a tannery, shall file with the mayor an application in writing containing the full name of the person or corporation, and the location of the place of business for which such license is desired.

**2247. Fee—notice of change of location.]** Upon compliance with the foregoing section, and payment to the city collector of an annual license fee of fifty dollars, any such applicant shall be entitled to a license to carry on the business as aforesaid at the place named in such application.

If after issuance and delivery of a license hereunder, any change be made in the location of the place of business covered thereby, notice thereof shall be given to the city clerk and city collector.

**2248. Penalty.]** Any person or corporation violating any of the provisions of this chapter shall be fined not less than one hundred dollars, nor more than two hundred dollars for each offense.



## CHAPTER LXVIII.

### TICKERS.

**2249. License.]** It shall be unlawful for any person or corporation to operate, use or maintain any ticker or other device or instrument for the receiving, recording or registering of printed news, intelligence or other information of any kind or character whatsoever, without a license for each ticker or other device or instrument, the license to be issued to the person or corporation owning or operating the same.

**2250. Ticker—definition.]** The word “ticker,” as herein used, is hereby declared to describe and include any device or instrument for the receiving, recording or registering by electrical transmission of printed news, intelligence or other information of any kind or character whatsoever.

**2251. Fee.]** The license fee for each ticker shall be one dollar per year or fraction thereof.

**2252. Application—bond.]** The mayor shall grant licenses for the operation, use and maintenance of tickers to persons or corporations who shall apply to him in writing therefor. Applicants shall furnish satisfactory evidence of their good character, and in cases of corporations satisfactory evidence of the good character of the corporate officers. Each applicant shall execute to the city a bond with sureties to be approved by the city collector, in the sum of one thousand dollars conditioned for the faithful observance of all ordinances in force at the time of the application or thereafter to be passed during the period of the license applied for, governing tickers, and conditioned further that the applicant will not transmit, receive, record or register, or permit to be received, recorded or registered, upon any ticker, or upon or by any means of any other device or instrument for the transmission, receiving, recording or registering, printed news, intelligence or information of any kind or character or any racing news, betting odds, or other information for the purpose of making bets or wagers on horse races, or any other information for the purpose of gambling.

**2253. Requirements.]** No license for the operation, use or maintenance of a ticker shall be granted unless the applicant shall in the written application for such license state:

**First—**The full name of the applicant.

Second—If a corporation, the names of its officers, the date of its charter, and the state granting the same.

Third—The applicant's principal place of business in the city.

Fourth—A full description of the style of ticker to be licensed.

Fifth—The circuit upon and with which such ticker is located and connected; the specific location of the transmitting instrument, together with a plat showing the location of said circuit and the connection between the transmitter and the specific ticker (said plat to be kept on file in the office of the city electrician).

Sixth—The name of the lessee or custodian of the ticker.

Seventh—The place of business of such lessee or custodian and the nature of the business therein conducted by such lessee or custodian.

Eighth—The location and general description of the room in which the ticker is located at such place of business.

**2254. Gambling information prohibited.]** Such applicant shall in such written application also state and agree that during the term of such license the applicant will not transmit, receive, record or register upon such ticker any racing news, betting odds or other information for the purpose of making bets or wagers on horse races, or for the purpose of gambling; and further that such applicant will not by any other device or instrument transmit any racing news, betting odds or other information for the purpose of the making of bets or wagers on horse races, or for the purpose of gambling; and shall further agree in such application that if the mayor shall be satisfied that such ticker is used or operated for the transmission, receiving, recording or registering of racing news, betting odds, or other information for the purpose of making bets or wagers on horse races, or for the purpose of gambling, or that such applicant by any other shift, device or instrument transmits racing news, betting odds or other information for the purpose of the making of bets on horse races, or for the purpose of gambling, contrary to such statement or agreement that the mayor may revoke all licenses of such person or corporation, for the operation, use or maintenance of tickers, and that the money paid for such licenses shall be forfeited to the city, and that the mayor upon being satisfied that the foregoing provisions of this section have been violated shall revoke all such licenses and declare forfeited to said city all money paid therefor, and that for the period of one year thereafter no license shall be granted to such applicant.

**2255. Terms of license.]** Any person or corporation on compliance with the aforesaid requirements of this chapter and the payment in advance to the city collector of the license fee hereinabove provided, shall receive a license which shall authorize the person or corporation therein named to operate, use and maintain one ticker in the place designated in the license, which license shall be securely affixed to the ticker therein licensed.

**2256. Time for operation.]** No person or corporation shall operate, use or maintain any ticker between the hours of 12 o'clock midnight and 8 o'clock a. m.; Provided, however, that the mayor may, in his discretion, designate times when tickers may be used and operated all night.

**2257. Revocation.]** Every license shall terminate and become null and void, first: if the licensee violates or disregards any of the provisions of this chapter; second, if either the licensee or his, or its lessee or custodian of any ticker or tickers licensed as herein provided, or any other person or persons shall, with the assent of the licensee, or his, or its lessee or custodian, use or operate any ticker or tickers licensed as herein provided, directly or indirectly for the purposes of gambling, or to promote or facilitate the making of bets or wagers on horse races. In either of such cases the mayor shall declare any license or licenses of any such licensee forfeited, and shall revoke the same without notice. If the declaration of forfeiture be for any violation by the licensee, or by any person or persons with the assent of such licensee, all licenses of such licensee shall be revoked. If the declaration of forfeiture be for any violation by the lessee or custodian of any ticker or tickers licensed as herein provided, or by any person or persons with the assent of such lessee or custodian, the license of the specific ticker or tickers used and operated by such lessee or custodian shall be revoked.

**2258. Penalty.]** Any person or corporation violating any of the provisions of this chapter, in addition to suffering the revocation of the license or licenses, shall be fined not less than fifty dollars nor more than two hundred dollars for each offense; and a separate offense shall be regarded as committed for each day during which such person or corporation shall continue such violation.

## **CHAPTER LXIX.**

### **VEHICLES.**

#### **PASSENGER VEHICLES—PUBLIC CARTS—PUBLIC AUTOMOBILES—LIVERY STABLES.**

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### **ARTICLE I.**

#### **CABS, CARRIAGES, HACKS AND OMNIBUSES.**

**2259. Inspectors of public vehicles—appointment.]** There shall be designated by the mayor three persons from the regularly constituted police force of the city, with the rank of sergeants, who shall constitute a board and be known as the board of inspectors of public vehicles. Said board shall have an office or a place for the transaction of business and keeping of the records hereinafter required, in the city hall, and such office shall be open not less than four hours of each and every day except Sunday.

The superintendent of police may appoint from the members of the police force such additional inspectors of vehicles as may be required from time to time, and any and every such member of the police force, so appointed, shall act under the supervision and according to the direction of said board of inspectors, and any such members of the police force so appointed shall be known as assistant inspectors of public vehicles.

**2260. Duties of board of inspectors.]** It shall be the duty of the said board, at least once in every three months, to examine or cause to be examined the condition of every vehicle licensed under the provisions of this article, and to note such inspection and the date thereof in a record kept for that purpose, setting forth therein the condition of each vehicle so inspected; and where the vehicle is found to be in good condition, they shall issue a certificate to the owner or person in possession or control thereof, showing that the vehicle has been inspected and is in a condition satisfactory to the said board. No license shall be granted for the use and operation of such vehicle for the carriage of passengers for hire in this city, until such certificate of inspection shall have been issued. It shall also be the duty of the

said board to make or cause to be made a daily inspection of every cab and hack stand within the city, for the purpose of noting the condition of the vehicles licensed hereunder and of the horses attached thereto and the drivers thereof. It shall be the duty of the board to see that the vehicles licensed hereunder are kept clean and in good repair and that the horses drawing same are proper and safe animals to be driven to such vehicles. When any vehicle licensed hereunder, or any horse attached thereto, is not in proper condition satisfactory to the board of inspectors, the certificate of inspection issued for such vehicle shall be revoked and also the vehicle license, and neither such certificate nor license shall be restored until such vehicle has been put in a good condition satisfactory to the said board, or until a horse or horses to draw same are furnished, satisfactory to said board. The said board shall also exercise strict supervision over the drivers of all vehicles licensed hereunder, to see that no driver becomes intoxicated or treats any passenger or passengers in an insolent or improper manner and that no overcharges are made for the transportation of passengers. Whenever any violation of any of the provisions of this article shall be discovered relating to the condition of any vehicle licensed hereunder or of any horse or horses attached thereto, said board or any member thereof or any assistant inspector shall order the driver of such vehicle or horse or horses to remove same from the streets and not to use such vehicle or horse or either of them, to which objection has been made, as the case may be, until authorized so to do by the said board pursuant to the provisions of this article. In the event of a neglect or refusal on the part of the driver of any such licensed vehicle to remove such vehicle, or any horse or horses attached thereto, from the street when ordered so to do by the said board, or any member thereof, or any assistant inspector, such driver so refusing or neglecting to comply with such order shall be forthwith put under arrest by any one of said inspectors, and the vehicle and horse or horses attached thereto removed or caused to be removed from the streets. The daily inspection of cab and hack stands, herein provided for, shall continue throughout the twenty-four hours of the day. The said board shall make and enforce such rules and regulations as are necessary and proper to carry out the provisions of this article.

**2261. All vehicles to be licensed.]** No hack, cab, omnibus, carriage or other vehicle of any description or name whatever, drawn by one or more horses, and which shall stand or be kept upon any public cab and hack stand or upon any street or public way in the city for employment, shall be used anywhere within the city for the carrying or conveying of persons for hire or reward, unless such vehicle be licensed as hereinafter provided.

**2262. Application—License.]** The owner or owners of any such

vehicle for which it is desired to secure a license shall make an application to the board of inspectors; setting forth in such application the name of such owner or owners, a description of the vehicle for which it is desired to secure a license and the place where such vehicle is kept, or is to be kept, when not in use upon the streets or standing upon any public cab and hack stand. The application shall be made upon a form which shall be provided by the said board, and when the vehicle for which it is desired to secure a license has been inspected by the said board and found satisfactory and a certificate of inspection as hereinbefore provided for has been issued, such application, with the approval thereon of the said board, shall be transmitted to the mayor, who shall issue, or cause to be issued, a license for such vehicle, upon the payment by such applicant of a license fee in accordance with the rates hereinafter fixed for the particular style of vehicle which it is desired to have licensed. Such license fee shall be paid to the city collector and upon the payment thereof the license shall issue, attested by the city clerk, authorizing the use of such vehicle in accordance with the provisions of this article until the expiration of such license. The license fees to be charged and paid to the city collector shall be as follows:

**2263. License fees.]** 1. For all omnibuses or other similar vehicles drawn by one or more horses, running in connection with hotels or railroads, five dollars per annum for each.

2. For all omnibuses or other similar vehicles drawn by one or more horses running upon established lines and at stated periods from place to place, within the city, five dollars per annum for each.

3. For all hacks, carriages and other vehicles not mentioned in the preceding clauses of this section, drawn by two horses or other animals, and occupying any public stand, or that shall run for the conveyance of passengers, for hire or reward, within the city, five dollars per annum for each.

4. For all cabs, hacks or other vehicles drawn by one horse or other animal, and occupying any public stand, or that shall run for the conveyance of passengers for hire or reward, within the city, two dollars and fifty cents per annum for each.

**2264. Drivers to be licensed.]** No person shall be permitted to drive any vehicle licensed under the provisions of this article, unless he shall first have secured a license so to do in the manner hereinafter set forth.

**2265. Application—bond.]** Any person desiring to secure a license as driver of any public vehicle licensed hereunder and used for the carriage of passengers for hire or reward, shall make application in writing therefor to the board of inspectors, upon a form to be provided by the said board. Such application shall set forth the name of the applicant, his residence and occupation, and shall be endorsed

by at least two responsible citizens of this city who shall certify that the applicant is a man of good habits, honest, sober and industrious, and a fit person to drive a passenger vehicle. Upon such application being received, the said board shall make careful and diligent inquiry as to the character and record of the applicant for honesty, sobriety and capability, and if they shall find that such applicant is lacking in any of such respects they shall refuse to issue a license. If the said board shall be satisfied that the applicant is a fit person to be licensed, they shall transmit such application with their approval thereon to the mayor, who upon payment by such applicant of a license fee of one dollar to the city collector, shall issue or cause to be issued to such applicant a license attested by the city clerk, authorizing such applicant to drive any vehicle licensed under this article until the expiration of such license. Upon the issuance of such license, and before the person so licensed shall be permitted to act as a driver of any licensed vehicle, he shall execute a bond in the sum of one hundred dollars, with sureties to be approved by the board of inspectors, which said bond shall be conditioned for the faithful performance and observance of all the ordinances of the city pertaining to the use of passenger vehicles and the drivers thereof, and of the rules and regulations made by the board of inspectors, and such bond shall be payable to the city of Chicago, for the use of any person who may be injured or damaged or aggrieved by any neglect or refusal of such licensee to observe and obey the ordinances and regulations above referred to. Such bond shall be filed with the city comptroller.

**2266. Change of residence.]** If any licensed driver shall change his residence at any time before the expiration of his license he shall forthwith notify in writing the board of inspectors of such fact.

**2267. Badge for drivers.]** Every person licensed as a driver under the provisions of this article shall, at all times while acting as driver of any vehicle licensed under the provisions of this article, wear a metal badge one and three quarters inches long and one and one eighth inches wide, having a number thereon corresponding to the number of such driver's license. Such badge shall be provided with a pin or other fastening, and shall be worn in a conspicuous place on the outside of the outside coat, and shall be of a different design for each year. Such badges shall be obtained from the city clerk.

**2268. Record of licensed drivers—suspension and revocation of license.]** The board of inspectors shall keep at their office a well-bound volume or volumes of records, in which shall be kept the name and residence of each licensed driver, together with the names of persons endorsing his application; the date of his bond and the names of the sureties therein; and they shall carefully note, opposite each such licensed driver's name, such information as they may gain con-

cerning him and as may be necessary to provide a complete record of his conduct and qualifications as a driver. Whenever any such driver shall be found guilty of any violation of any of the provisions of this article, or of neglect or refusal to comply with any of the rules or regulations of the said board, or shall be found intoxicated while engaged in driving any licensed vehicle or while in charge of any such licensed vehicle upon any public cab and hack stand, a note shall be made upon such record of such fact. If any licensed driver shall be found intoxicated while in charge of any vehicle licensed hereunder, his vehicle shall be taken from him by the said board or any member thereof or any assistant inspector, and shall be driven to a stable. If such vehicle shall contain a passenger or passengers, the inspector discovering such driver's intoxication shall drive or cause to be driven such passenger to his destination, after which the vehicle shall be driven to a stable. Any driver so found intoxicated, or who shall demand a higher rate of fare than that authorized by the provisions of this article or who shall violate or neglect to comply with any of the provisions of this article or any rule or regulation made by the said board, shall for the first offense have his license suspended for ten days; for the second offense shall have his license suspended for thirty days; and for the third offense shall have his license revoked. Such suspension or revocation shall be made by the mayor upon the recommendation of said board. Any driver whose license shall be revoked under the provisions of this article shall not again be licensed.

**2269. Driver to report to board vehicle driven by him.]** No person licensed as a driver under the provisions of this article shall drive any vehicle licensed hereunder until he shall first have reported to the board of inspectors the name of the owner of such vehicle and the number thereof. Said board shall keep a record showing the name of the owner and the number of the vehicle which such licensed driver is to drive, and such driver shall not be permitted to drive any other vehicle than the one so reported by him, except by and with the permission of the said board. If any licensed driver shall desire to drive any other vehicle than the one so reported by him he shall make application to the said board for permission so to do, and thereupon said board shall issue to such driver a permit in writing authorizing him to drive the particular vehicle for which application is made, and shall forthwith cancel and revoke the applicant's authority to drive any other licensed vehicle. The said board shall keep such a record as will enable them to at all times know the name and number of each licensed driver and the particular vehicle such driver is authorized or permitted to drive during any period of time.

**2270. Name of owner and number on vehicle.]** Every vehicle licensed under the provisions of this article shall have the name of the



owner thereof and the number of its license plainly painted, in letters at least one and one-half inches in length, in a conspicuous place on the outside of each side of such vehicle, and such name and number shall be kept so painted plainly and distinctly at all times while such vehicle is in use during the continuance of such license. Upon the expiration of such license (unless the same is forthwith renewed), such name and number shall be at once erased from such vehicle, and such vehicle shall not be used with such name or number thereon.

**2271. Lamps with number—door.]** Every hack, cab, carriage, or other vehicle for the conveyance of passengers drawn by one or more horses, when driven or used for hire, or waiting or standing for use, on any public street or place in the night time, shall have fixed upon some conspicuous part of the outside and on each side thereof, a lighted lamp or lamps, with plain glass front and sides, with the license number of such vehicle painted with black paint on the sides of each of such lamps, in distinct and legible figures, at least one and a half inches in length, and so placed that such lamps and the number thereon may be distinctly seen from the outside of such vehicle. And every such hack, cab, carriage or other vehicle, which has a door or doors to the same, shall have a knob or handle upon the inside of such door or doors, by which such door or doors may be easily opened from the inside of such vehicle.

**2272. Operating unlicensed vehicle—penalty.]** Every person or corporation who shall keep, use or operate, or be in charge, possession or control of, or cause to be kept, used, or operated upon any of the streets or public ways of the city any cab, hack, carriage or other vehicle drawn by one or more horses or other animals, for the conveyance of passengers for hire or reward, and which shall stand or be kept upon any public cab stand or upon any street or public way in the city for employment, which has not been licensed in accordance with the provisions of this article, or who keeps, uses or operates, or causes to be kept, used or operated any such vehicle in violation of any of the provisions of this article shall be fined not less than five nor more than one hundred dollars for each offense, and each and every day on which any such person or corporation shall so keep, use or operate, or cause to be kept, used or operated any such vehicle after the first offense shall constitute a separate and distinct offense.

**2273. Driver acting without license—penalty.]** Any person who shall drive or hold himself out as a driver of any cab, hack, carriage or other vehicle licensed under the provisions of this article and drawn by one or more horses or other animals upon any street or public way of the city without being licensed to act as such driver in accordance with and pursuant to the provisions of this article, shall be fined not less than five nor more than one hundred dollars for each offense.

**2274. Rates of fare—two horse vehicles.]** The rates of fare to be

asked or demanded by the driver of any two horse vehicle licensed under the provisions of this article for the conveyance of passengers for hire shall be as follows:

1. For one or two passengers, not exceeding one mile, one dollar.
2. Each additional passenger fifty cents each for the first mile or part thereof, only.
3. For one or more passengers, for the second mile and subsequent miles or part thereof, fifty cents for all, for each such mile or part thereof.
4. For children between five and fourteen years of age, when accompanied by an adult, not more than one-half of the above rates shall be charged for like distances. For children under five years of age, when accompanied by an adult, no charge shall be made.
5. For the use of any vehicle mentioned in this section, conveying one or more passengers, when hired by the hour, with the privilege of going from place to place and stopping as often as may be required, as follows: for the first hour, two dollars; for each additional hour or part thereof at the rate of one dollar and fifty cents an hour.
6. In the case of any vehicle described in this section being engaged by the hour and discharged at a distance from the place where it was engaged, the driver shall have the right to charge for the time necessary to return to such place.

**2275. Rates of fare—one horse vehicles.] Rates of fare to be asked or demanded by the driver of any one horse vehicle licensed under the provisions of this article for the conveyance of passengers for hire shall be as follows:**

1. For one or two passengers not exceeding one mile, fifty cents.
2. For each additional passenger twenty-five cents for the first mile, or part thereof, only.
3. For one or more passengers for the second mile and subsequent miles or part thereof, twenty-five cents for all for each such mile or part thereof.
4. For children between five and fourteen years of age, when accompanied by an adult, not more than half of the above rates shall be charged for like distances. For children under five years of age when accompanied by an adult no charge shall be made.
5. For the use of any vehicle mentioned in this section conveying one or more passengers when hired by the hour with the privilege of going from place to place and stopping as often as may be required, as follows: for the first hour one dollar; for each additional hour or part thereof at the rate of one dollar an hour.
6. In the case of any vehicle described in this section being engaged by the hour and discharged at a distance from the place where it was engaged the driver shall have the right to charge for the time necessary to return to such place.

**2276. Hiring by the hour—must be so specified at time of hiring.]**

In all cases where the hiring of any vehicle licensed under the provisions of this article is not at the time of such hiring specified by the person hiring same to be by the hour, it shall be deemed to be by the mile, and for any detention exceeding a total period of fifteen minutes during the whole period of such hiring, when so working by the mile, the driver may demand pay for such period of detention at the rate of one dollar per hour in addition to the rate per mile.

**2277. Hiring by the hour—rate of speed.]** Whenever any vehicle licensed under the provisions of this article shall be hired by the hour, such vehicle shall be driven while carrying any passenger or passengers at a rate of speed not less than six miles per hour and if discharged at a distance from the place where it was engaged shall be driven at not less than the same rate of speed while returning thereto if the time for such return is charged for.

**2278. Posting rates in vehicles.]** There shall be fixed on the inside thereof, and in a conspicuous place in every hack, cab, carriage or other vehicle licensed under the provisions of this article for the conveyance of passengers for hire, in such manner that the same may be easily and conveniently read by any person riding in such vehicle, a card, to be obtained from the city clerk, on which shall be printed the name of the owner and the number of the license of such vehicle and also the whole of sections 2274 and 2275 relating to rates of fare, and the whole of sections 2283 and 2284 relating to the carriage of baggage, and lost baggage.

**2279. Fare collected in advance.]** Every licensed driver of any vehicle licensed under the provisions of this article shall have the right to demand his fare of the person employing him before any such person enters such vehicle, and may refuse to convey any person who does not comply with such demand.

**2280. Fare disputed—police to determine.]** All disputes as to fare or distance which may arise between any passenger and the driver of any vehicle mentioned in this article shall be determined by any member of the board of inspectors or by any other member of the police force.

**2281. Refusal to pay fare—penalty.]** Any person who shall employ any vehicle licensed under the provisions of this article and upon discharging the same after use, shall neglect or refuse to pay for services rendered in accordance with the rates established by this article, shall be fined not less than five nor more than one hundred dollars for each offense.

**2282. Driver to give number, etc.]** Every licensed driver, or person having charge or control of any vehicle licensed under the provisions of this article, upon being requested so to do shall give to any person who has been a passenger in his vehicle or who was about to

become a passenger in such vehicle, the license number and name of such driver and the license number of such vehicle.

**2283. Baggage.]** Every passenger upon any vehicle licensed under the provisions of this article shall be allowed to have conveyed with him upon such vehicle, without charge therefor, his ordinary light traveling baggage, in an amount not to exceed in weight seventy-five pounds.

**2284. Lost baggage.]** Whenever any package, article of baggage or goods of any kind shall be left in or upon any vehicle licensed under the provisions of this article, the driver of such vehicle shall upon the discovery of such package, baggage or goods, forthwith deliver the same to the board of inspectors of passenger vehicles.

**2285. Duty to convey.]** No driver or person in charge of any vehicle licensed under the provisions of this article shall refuse to convey within the city, any person when applied to for that purpose, or having undertaken to convey any person shall omit or neglect so to do.

**2286. Driver giving false information—making false representations.]** No driver or person in charge or control of any vehicle licensed under the provisions of this article shall induce any person to employ him or his vehicle by knowingly misinforming or misleading any such person either as to the time or place of the arrival or departure of any train, steamboat or other public conveyance, or as to the location of any railroad depot or ticket office or the location of any hotel, public place or private residence within the city; and no such driver or person in charge or control of any such licensed vehicle shall falsely represent his vehicle as being in the employment of any public house, railroad, steamboat or bus line; nor shall any such driver or person in charge or control of any such licensed vehicle deceive any person in relation to any railroad or other ticket or voucher for conveyance, or make any false representations or statements in regard to same, or convey any passenger to any place other than that such passenger may have informed such driver or person he desires to be driven to.

**2287. Driver not to act as runner.]** No person licensed as driver under the provisions of this article shall act as a runner as defined in Chapter LV. of this ordinance without a license for that purpose; nor shall any such driver be permitted to solicit passengers for any vehicle other than the one he is licensed to drive, and for which he is then acting as driver.

**2288. Cab and hack stands established.]** Any vehicle licensed under the provisions of this article may stand, while waiting for employment, at any of the following places:

Stand No. 1. The north side of Washington street, between Clark and La Salle streets.

Stand No. 2. That portion of the west side of Clark street beginning fifty feet from the southwest corner of Randolph and Clark streets, and running thence to Washington street.

Stand No. 3. The south side of Randolph street, between La Salle and Clark streets.

Stand No. 4. The south side of Congress street, from Michigan avenue to Wabash avenue.

Stand No. 5. The east side of south Canal street, commencing at a point one hundred and nineteen feet south of the south line of Madison street, and thence running along the east side of South Canal street three hundred and forty-four feet south from the place of beginning.

No cab, hack, or other vehicle entitled to use such stand shall be permitted to stand anywhere thereon in such manner as to obstruct any crossing or the entrance to any building, structure or place located east of such stand.

Stand No. 6. The east side of South Canal street, commencing at a point one hundred and nineteen feet north of the building line on the north line of Adams street, and thence running north twenty-one feet.

Stand No. 7. On the north side of Park Row from Michigan avenue to the west line of the Illinois Central depot extended north to the north line of Park Row.

Stand No. 8. At all theatres and other public places of amusement, fifteen minutes before the conclusion of any performance given therein, provided there be no public stand established within two hundred feet of the entrance thereof.

Stand No. 9. At all railroad depots, provided there be no public cab and hack stand established within two hundred feet of the main entrance to such depot.

Stand No. 10. On all street corners designated by the superintendent of police, between the hours of seven p. m. and seven a. m. each night; Provided no street corner shall be designated as a public cab and hack stand by the superintendent of police unless the consent in writing to the establishment of such stand shall first be secured from the abutting owner or owners of the property immediately in front, or along side, of which such stand is to be located; such consent to be filed with the board of inspectors of public vehicles and provided further<sup>o</sup> that the street crossings shall be left free and unobstructed.

Stand No. 11. The east side of Clark street, between Adams and Jackson streets.

Stand No. 12. The west side of La Salle street, between Jackson and Van Buren streets.

**Stand No. 13.** The west side of Dearborn street, between Adams and Jackson streets.

**Stand No. 14.** The west side of Plymouth Court from the north side of Polk street extending along the west side of Plymouth Court a distance of three hundred feet north.

**Stand No. 15.** The north side of Harrison street, between Fifth avenue and Franklin street.

Provided, however, that no vehicle licensed under the provisions of this article shall be permitted, while waiting for employment upon any stand herein established, to be so situated or located as to prevent or obstruct easy ingress or egress from the street to the entrance or entrances of any railroad depot, hotel, public building or place of amusement; the amount of clear space to be left in front of any such depot, hotel, building or place of amusement shall be designated by the board of inspectors of public vehicles.

**2289. Vehicles not to obstruct street crossings.]** No vehicle licensed under the provisions of this article, while waiting for employment upon any public stand or anywhere upon the streets or public ways of the city, shall be permitted to stand upon any street crossing, or within a distance of twenty feet thereof.

**2290. Right to occupy stands.]** The driver or person in charge or control of any vehicle licensed under the provisions of this article shall have the right to stand with his vehicle on any vacant place within the limits of any of the places designated herein as public cab and hack stands, and no preference shall be shown between different vehicles of the same class as to the choice of position within such limits; but in the event that the driver of any omnibus, or other large vehicle licensed under the provisions of this article shall desire to locate upon any such public stand and there wait for employment, the position of any such vehicle may be designated by the board of inspectors or any member thereof or any assistant inspector.

**2291. Stands regulated.]** The board of inspectors shall determine the number and position of cabs, hacks, carriages or other vehicles which shall be permitted to occupy any particular stand, and shall also define the boundaries and limits of each and every stand.

**2292. Drivers not to loiter off stands.]** No driver of any vehicle licensed under the provisions of this article shall loiter or lounge upon the sidewalk or public ways of the city away from the vehicle of which he is in charge, nor shall any such driver join or become part of any gathering or crowd of persons upon the streets, sidewalks or public ways of the city or block or obstruct any street crossing or the entrance to any railway depot, hotel or public building of any kind while in charge of any such licensed vehicle.

Every driver in charge of any such vehicle, while waiting for employment upon any public stand, shall pay strict attention to his

horse or horses and to his vehicle, and shall at all times be in the immediate proximity of same.

**2293. Penalty.]** Any person violating any of the provisions of this article shall be fined not less than five nor more than one hundred dollars for each offense, and in any case where a violation of any of the provisions of this article by any licensed driver may be punished by the suspension or revocation of the license of such driver, such suspension or revocation shall not exempt such driver from the imposition of any fine provided for by this article.

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## ARTICLE II.

### PUBLIC AUTOMOBILES FOR PASSENGERS.

**2294. All public automobiles to be licensed.]** No automobile, auto-car or other similar vehicle shall stand or be kept upon any public cab and hack stand or upon any street or public way in the city, for employment, or to be let for hire or reward, or shall be used anywhere within the city for the carrying or conveying of persons for hire or reward unless such vehicle be licensed as hereinafter provided.

**2295. License—application.]** The owner of any such vehicle for which it is desired to secure a license shall make application to the board of inspectors of public vehicles, setting forth therein the name of such owner, a description of the vehicle for which it is desired to secure a license, and the place where such vehicle is kept or is to be kept when not in use upon the streets, or standing upon any public cab and hack stand. The application shall be made upon a form which shall be provided by the said board, and when the vehicle for which it is desired to secure a license shall have been inspected by the said board and found satisfactory, in accordance with the provisions of section 2260 of article I. of this chapter providing for the inspection of public cabs, a certificate of inspection similar to that provided for in said section shall be issued and such application, with the approval thereon of the said board, shall be transmitted to the mayor, who shall issue or cause to be issued a license for such vehicle upon the payment by the applicant of a license fee in accordance with the rates hereinafter fixed for the particular style or type of vehicle which it is desired to have licensed. Such license fee shall be paid to the city collector and upon the payment thereof a license shall issue, attested by the city clerk, authorizing the use of such vehicle in accordance with the provisions of this article until the expiration of such license. The license fees to be charged and paid to the city collector shall be as follows:

**2296. License fees.]** 1. For all automobiles, autocars, or other similar vehicles, the seating capacity of which, exclusive of the operator's seat, shall be four or more persons, five dollars each per annum.

2. For all automobiles, autocars, or other similar vehicles, the seating capacity of which, exclusive of the operator's seat, shall not exceed three persons, two dollars and fifty cents each per annum.

**2297. Operating unlicensed vehicles—penalty.]** Every person or corporation who shall keep, use or operate, or be in charge, possession or control of, or cause to be kept, used or operated upon any of the streets or public ways of the city any automobile, autocar, or other similar vehicle for the conveyance of passengers for hire or reward, and which shall stand or be kept upon any public cab and hack stand, or upon any street or public way in the city, for employment, which has not been licensed in accordance with the provisions of this article; or who keeps, uses or operates, or causes to be kept, used or operated any such automobile, autocar, or other similar vehicle, in violation of any of the provisions of this article, shall be fined not less than five dollars nor more than one hundred dollars for each offense, and each and every day on which any such person or corporation shall so keep, use or operate, or cause to be kept, used or operated, any such automobile, autocar or other similar vehicle, after the first offense, shall constitute a separate and distinct offense.

**2298. Operator to be licensed.]** No person shall operate any vehicle licensed under the provisions of this article unless (in addition to the operator's license provided for in chapter IX. of this ordinance showing his qualifications to act as such operator) he shall have secured a license so to do in accordance with the provisions of, and in the same manner provided for in and by, section 2264 of article I. of this chapter.

**2299. Operator acting without license—penalty.]** Any person who shall operate or hold himself out as the operator of any automobile, autocar, or other similar vehicle, licensed under the provisions of this article, without being licensed to act as such operator in accordance with and pursuant to the provisions of this article, shall be fined not less than five dollars nor more than one hundred dollars for each offense.

**2300. Badge for operators.]** Every person licensed as an operator under the provisions of this article shall at all times while acting as such operator, wear a metal badge at least one and three-quarter inches long and one and one-eighth inches wide, having a number thereon corresponding to the number of the license authorizing such operator to operate a public automobile. Such badge shall be provided with a pin or other fastening, and shall be worn in a conspicuous place on the outside of the outside coat and shall be of a different design for each year. Such badges shall be obtained from the city clerk.



**2301. Record of licensed operators—suspension or revocation of license.]** The board of inspectors shall keep at their office, in the same manner as provided in and by section 2268 of article I. of this chapter, for a record of licensed drivers, a record of all persons licensed under the provisions of this article as operators of automobiles, auto cars, and other similar vehicles, and the provisions of said section 2268 of said article I. as to supervision and suspension or revocation of license shall apply to persons licensed as operators under this article.

**2302. Operator to report vehicle driven by him.]** No person licensed as an operator under the provisions of this article shall operate any vehicle licensed hereunder, until he shall first have reported to the board of inspectors the name of the owner of such vehicle and the license number thereof. Said board shall keep a record showing the name of the owner and the license number of the vehicle which said licensed operator is to operate, and such operator shall not be permitted to operate any other vehicle licensed hereunder, than the one so reported by him, except by and with the permission of the said board. If any licensed operator shall desire to operate any other vehicle than the one so reported by him, he shall make application to the said board for permission so to do, and thereupon said board shall issue to such operator a permit in writing, authorizing him to operate the particular vehicle for which application is made, and shall forthwith cancel and revoke the applicant's authority to operate any other licensed vehicle. The said board shall keep such a record as will enable them at all times to know the name and number of each licensed operator and the particular vehicle such operator is authorized or permitted to operate during any period of time.

**2303. Name of owner and license number on vehicle.]** Every automobile, autocar or other similar vehicle, licensed under the provisions of this article, shall have the name of the owner thereof and the number of its license plainly painted in letters at least one and one-half inches in length, in a conspicuous place on the outside of each side of such vehicle, and such name and number shall be kept so painted, plainly and distinctly at all times while such vehicle is in use during the continuance of such license. Upon the expiration of such license (unless same is forthwith renewed) such name and number shall be at once erased from such vehicle, and such vehicle shall not thereafter be used with such name or number thereon.

**2304. Lamps with number—door.]** Every automobile, autocar, or other similar vehicle, licensed under the provisions of this article, or operated or used for hire, or waiting or standing on any public street or place in the night time, shall have fixed upon some conspicuous part of the outside, and upon each side thereof, a lighted lamp or lamps, with plain glass front and sides, with the license

number of such vehicle painted with black paint on the sides of each of such lamps, in distinct and legible figures at least one and one-half inches in length, and so placed that such lamp and the number thereon may be distinctly seen from the outside of such vehicle. And every such vehicle which has a door or doors shall have a knob or handle upon the inside thereof, by which such door or doors may be easily opened from the inside of such vehicle.

**2305. Posting of rates in vehicles.]** There shall be fixed on the inside thereof and in a conspicuous place, in every vehicle licensed under the provisions of this article, in such manner that the same may be easily and conveniently read by any person riding therein, a card to be obtained from the city clerk, on which shall be printed the name of the owner and the number of the license of such vehicle, and also the whole of sections 2321 and 2322 relating to rates of fare, and the whole of sections 2313 and 2314 relating to the carriage of baggage, and lost baggage.

**2306. Hiring by the hour—rate of speed.]** Whenever any vehicle licensed under the provisions of this article, shall be hired by the hour, such vehicle shall be driven, while carrying any passenger or passengers, at a rate of speed of not less than six miles per hour, and if discharged at a distance from the place where it was engaged, shall be driven at not less than the same rate of speed while returning thereto, if the time of such return is charged for.

**2307. Right to occupy stands.]** The operator or person in charge or control of any vehicle licensed under the provisions of this article shall have the right to stand with his vehicle on any vacant place within the limits of any of the places designated in this ordinance as public cab and hack stands, and no preference shall be shown between different vehicles of the same class as to a choice of position within such limits.

**2308. Obstructing street crossings.]** No vehicle, licensed under the provisions of this article, while waiting for employment upon any public stand or anywhere upon the streets or public ways of the city, shall be permitted to stand upon any street crossing or within a distance of twenty feet thereof.

**2309. Fare collected in advance.]** Every licensed operator of any vehicle licensed under the provisions of this article shall have the right to demand his fare of the person employing him before any such person enters such vehicle, and may refuse to convey any person who does not comply with such demand.

**2310. Fare disputed—police to determine.]** Disputes as to fare or distance, which may arise between any passenger and the operator of any vehicle mentioned in this article, shall be determined by any member of the board of inspectors, or by any other member of the police force.

**2311. Refusal to pay fare—penalty.]** Any person who shall employ any vehicle, licensed under the provisions of this article, and upon discharging the same after use, shall neglect or refuse to pay for services rendered in accordance with the rates established by this article, shall be fined not less than five nor more than one hundred dollars for each offense.

**2312. Operator to give number, etc.]** Every licensed operator, or person having charge or control of any vehicle licensed under the provisions of this article, upon being requested so to do, shall give to any person who has been a passenger in his vehicle, or who was about to become a passenger in such vehicle, the license number of such vehicle and the license number and name of such operator.

**2313. Baggage.]** Every passenger upon any vehicle licensed under the provisions of this article shall be entitled to have conveyed with him upon such vehicle, without charge therefor, his ordinary light travelling baggage in an amount not to exceed in weight seventy-five pounds.

**2314. Lost baggage.]** Whenever any package, article of baggage or goods of any kind shall be left in or upon any vehicle licensed under the provisions of this article, the operator of such vehicle, shall, upon discovery of such package, baggage or goods, forthwith deliver the same to the board of inspectors of passenger vehicles.

**2315. Duty to convey.]** No operator or person in charge or control of any vehicle licensed under the provisions of this article shall refuse to convey within the city any person when applied to for that purpose, or, having undertaken to convey any person, shall omit or neglect so to do.

**2316. Operator not to loiter off stands.]** No operator of any vehicle licensed under the provisions of this article shall loiter or lounge upon the sidewalks or public ways of the city away from the vehicle of which he is in charge, nor shall any such operator join or become part of any gathering or crowd of persons upon the streets, sidewalks or public ways of the city while in charge of any such licensed vehicle. Every operator in charge of any such vehicle shall pay strict attention thereto and shall at all times be in the immediate proximity thereof.

**2317. Operator giving false information—making false representations.]** No operator or person in charge or control of any vehicle licensed under the provisions of this article shall induce any person to employ him or his vehicle by knowingly misinforming or misleading any such person, either as to the time or place of the arrival or departure of any train, steamboat, or other public conveyance, or as to the location of any railroad depot or ticket office, or the location of any hotel, public place or private residence within the city, and no such operator or person in charge or control of any such licensed

vehicle shall falsely represent his vehicle as being in the employment of any public house, railroad, steamboat or bus line, nor shall any such operator or person in charge or control of any such licensed vehicle deceive any person in relation to any railroad or other ticket for conveyance, or make any false representations or statements in regard to the same, or convey any passenger to any place other than that such passenger may have informed such operator or person he desires to be driven to.

**2318. Operator not to act as runner.]** No person licensed as an operator under the provisions of this article shall act as a runner, as defined in chapter LV. of this ordinance, without a license for that purpose, nor shall any such operator be permitted to solicit passengers for any vehicle other than the one which he is licensed to operate and for which he is then acting as operator.

**2319. Stands for public automobiles.]** All vehicles licensed under the provisions of this article shall have the same privilege and right to occupy any public cab and hack stand, or to wait for or solicit employment upon any public street or way in the city that is given to vehicles mentioned and described in article I. of this chapter; and the same stands specified and described in such article and the limitations and boundaries thereof shall apply to vehicles licensed under the provisions of this article, as if the same were set out in full herein.

**2320. Board of inspectors to enforce provisions of this article.]** It shall be the duty of the board of inspectors of public vehicles to enforce the provisions of this article and the provisions of article I. of this chapter so far as the same are applicable hereto.

**2321. Rates of fare for automobiles seating four persons.]** The rate of fare to be asked or demanded by the operator or person in charge or control of any automobile, autocar, or other similar vehicle licensed hereunder and operated for the conveyance of passengers for hire or reward within the city, the seating capacity of which, exclusive of the operator's seat, shall be four or more persons, shall be as follows:

1. For one or two passengers, not exceeding one mile, one dollar.
2. For each additional passenger, fifty cents each for the first mile or part thereof, only.
3. For one or more passengers, for the second mile and subsequent miles or part thereof, fifty cents for all for each such mile or part thereof.
4. For children between five and fourteen years of age, when accompanied by an adult, not more than one-half of the above rates shall be charged for like distances. For children under five years of age, when accompanied by an adult, no charge shall be made.

5. For the use of any vehicle mentioned in this section, conveying one or more passengers, when hired by the hour, with the privilege of going from place to place and stopping as often as may be required; for the first hour two dollars; for each additional hour or part thereof, at the rate of one dollar and fifty cents per hour.

6. In the case of any vehicle described in this section being engaged by the hour and discharged at a distance from the place where it was engaged, the operator shall have the right to charge for the time necessary to return to such place.

**2322. Rate of fare for automobiles seating three persons.]** The rate of fare to be asked or demanded by the operator or person in charge or control of any automobile, autocar, or other similar vehicle licensed hereunder and operated for the conveyance of passengers for hire or reward within the city, the seating capacity of which, exclusive of the operator's seat, shall not exceed three persons, shall be as follows:

1. For one or two passengers, not exceeding one mile, fifty cents.  
2. For each additional passenger, twenty-five cents for the first mile or part thereof, only.

3. For one or more passengers for the second mile and subsequent miles or part thereof, twenty-five cents for all for each mile or part thereof.

4. For children between five and fourteen years of age, when accompanied by an adult, not more than one-half of the above rates shall be charged for like distances. For children under five years of age, when accompanied by an adult, no charge shall be made.

5. For the use of any vehicle mentioned in this section, conveying one or more passengers, when hired by the hour with the privilege of going from place to place and stopping as often as may be required; for the first hour, one dollar; for each additional hour or part thereof, at the rate of one dollar per hour.

6. In the case of any vehicle described in this section being engaged by the hour, and discharged at a distance from the place where it was engaged, the operator shall have the right to charge for the time necessary to return to such place.

**2323. No charge in case of break-down.]** In case any automobile, autocar, or other similar vehicle licensed under the provisions of this article shall, while conveying for hire or reward any passenger or passengers, become disabled, or shall break down so as to be unable to convey such passenger or passengers to his or their destination, and such disablement or breaking down cannot be remedied so that such vehicle shall be enabled to proceed within fifteen minutes from the time such vehicle shall have become disabled, or shall have stopped, no fare shall be charged or collected for any service rendered or distance traveled up to the time of such stoppage, disablement or break

down. Provided, however, that if any such passenger or passengers elect to remain in such vehicle and desire to be conveyed to their destination thereby, after such break-down or disablement shall have been remedied, in such event full rates for the distance traveled shall be charged as if no break-down or stoppage had occurred, or if such vehicle was employed by the hour, the time of stoppage shall be deducted from the time charged for.

2324. **Penalty.]** Any person violating any of the provisions of this article, or violating any of the provisions of article I. of this chapter which have been made a part hereof by reference thereto, shall be fined not less than five dollars nor more than one hundred dollars for each offense; and in any case where a violation of any of the provisions of this article by any licensed operator may be punished by the suspension or revocation of the license of such operator, such suspension or revocation shall not exempt such operator from the imposition of any fine provided for hereby.

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### ARTICLE III.

#### PUBLIC CARTS, EXPRESS WAGONS, FURNITURE VANS, TRUCKS, DRAYS, ETC.

2325. **Public cart defined.]** Every express wagon, furniture van, cart, truck, dray, wagon or other vehicle drawn by one or more horses or other animals, which shall be kept, used, operated, driven or employed for the purpose of transporting or conveying bundles, parcels, furniture, trunks, baggage, goods, wares, merchandise, or other articles within the city for hire or reward, shall be deemed a public cart within the meaning of this article, and every such vehicle so described and defined herein as a public cart shall be deemed such whether employed or hired from any public stand or from any street or public way, or from any private barn, office or other place in the city. The place where any such public cart is hired or employed shall not determine whether such vehicle is a public cart, but the business in which such cart is engaged while on the streets and public ways of the city shall determine the character of such vehicle. It shall be immaterial in determining the character of any vehicle whether the driver or person in charge and control of any such vehicle solicits custom or accepts employment therefor from any private office or private place, or from or along any street or public way in the city; Provided, however, that nothing herein contained shall be held to require a license for any vehicle or vehicles rented to any person or corporation for the purpose of transacting the busi-

ness of such person or corporation, solely, but if any such vehicle be employed in and about the business of more than one person or corporation for the purpose of transporting or conveying any of the articles hereinbefore in this section described, in such case any such vehicle shall be considered a public cart.

**2326. All public carts to be licensed.]** No public cart as defined in the preceding section drawn by one or more horses or other animals, shall be used anywhere within the city for the transporting or conveying of bundles, parcels, furniture, trunks, baggage, goods, wares, merchandise or other articles for hire or reward unless such public cart be licensed as hereinafter provided.

**2327. Application for license.]** The owner or owners of any such public cart for which it is desired to secure a license, shall make an application to the mayor, setting forth in such application, the name and place of business or residence of such owner or owners; the description of the public cart for which it is desired to secure a license and the place where such public cart is kept or is to be kept, when not in use upon the streets. The application shall be made upon a form which shall be provided by the city collector, and upon payment by such applicant to the city collector of the license fee for such public cart as hereinafter fixed, the mayor shall issue or cause to be issued a license for such public cart, attested by the city clerk, authorizing the use of such public cart in accordance with the provisions of this article, until the expiration of such license. The license fees to be charged and paid to the city collector shall be as follows:

**2328. License fees.]** 1. For all express wagons, furniture vans, drays, carts, trucks, wagons and other vehicles coming within the definition of a public cart as defined in this article, and drawn by two or more horses or other animals, five dollars per annum for each such public cart.

2. For all express wagons, furniture vans, drays, carts, trucks, wagons and other vehicles coming within the definition of a public cart as defined in this article, and drawn by one horse or other animal, two dollars and fifty cents per annum for each such public cart.

**2329. Drivers of public carts to be licensed.]** No person shall be permitted to drive any public cart, licensed under the provisions of this article, unless he shall first have secured a license so to do in the manner hereinafter set forth.

**2330. Application.]** Any person not less than sixteen years of age desiring to secure a license as a driver of any public cart, licensed hereunder, shall make application in writing therefor to the board of inspectors upon a form to be provided by said board; such application shall set forth the name of the applicant and his residence and occupation, and such application shall, if approved by said

board, be transmitted to the mayor and upon payment by such applicant to the city collector of a license fee of one dollar the mayor shall issue or cause to be issued a license attested by the city clerk authorizing such applicant to act as a driver of a public cart until the expiration of such license. If any person so licensed as a driver shall change his residence at any time before the expiration of his license, he shall forthwith notify the city collector of such fact.

**2331. Metal plate with license number on public carts.]** Every public cart licensed under the provisions of this article shall have securely fastened on the outside, on each side of such vehicle so licensed, in a conspicuous place, so that the same may be easily seen, a metal plate not less than eight inches long and four inches wide, on which shall be stamped a number corresponding to the license number of such public cart, and also the words "Chicago Public Cart," together with the year for which the license is issued. If such license is issued for a one-horse public cart, there shall be stamped upon such metal plate the word "Single." If for a public cart to be drawn by two or more horses, there shall be stamped upon such plate the word "Double," and the metal plates issued for one-horse vehicles shall be of a different color and design from the metal plates issued for public carts to be drawn by two or more horses, during each license year. Such metal plates shall be obtained from the city clerk and during each license year such plates shall be of a different color from that used for such plates during the preceding year, and shall have stamped thereon the year for which such plates are issued. At the expiration of the period for which such public cart is licensed, the metal plates so fastened upon such public cart shall be removed therefrom and no public cart shall be permitted to be used without the proper metal plate provided for in this article affixed thereto, or with any metal plate for a license period or year other than the license period or year during which such metal plate is affixed to such public cart.

**2332. Operating unlicensed public cart—penalty.]** Any person or corporation who shall keep, use or operate, or be in charge, possession and control of, or cause to be kept, used or operated upon any of the streets or public ways of the city any public cart, or vehicle coming within the description of a public cart as defined in this article, which has not been licensed in accordance with and pursuant to the provisions of this article, or who keeps, uses, or operates or causes to be kept, used or operated any such public cart or vehicle in violation of any of the provisions of this article shall be fined not less than five dollars nor more than one hundred dollars for each offense, and each and every day on which any such person or corporation shall so keep, use or operate or cause to be kept, used or operated, any such public cart or vehicle after the first offense, shall constitute a separate and distinct offense.



**2333. Badge for drivers of public carts.]** Every person licensed as a driver of a public cart under the provisions of this article, shall at all times while acting as such driver, wear a metal badge not less than two inches long and one and one-half inches wide, having a number thereon corresponding to the number of such driver's license, and also the words "Public Cart Driver," with the year for which such license is issued. Such badge shall be provided with a pin or other fastening, and shall be worn by such licensed driver in a conspicuous place on the outside of his outside coat, so that it may easily be seen. Such badges shall be procured from the city clerk at the time of the issuance of the license and shall be of a different design for each year.

**2334. Driver acting without license—penalty.]** Any person who shall drive any public cart, or who shall hold himself out as the driver of any such public cart, without being licensed to act as such driver in accordance with and pursuant to the provisions of this article, or who shall drive any public cart without wearing a badge in manner and form as required by the provisions of this article, shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

**2335. Driver to report to board of inspectors public cart driven by him.]** No person licensed as a driver of a public cart under the provisions of this article shall drive any public cart licensed hereunder until he shall first have reported to the board of inspectors of public vehicles the name of the owner of such public cart and the number thereof. Said board shall keep a record showing the name of the owner and the number of the public cart which such licensed driver is to drive, and such driver shall not be permitted to drive any other public cart than the one so reported by him except by and with the permission of said board. If any licensed driver shall desire to drive any other public cart than the one so reported by him he shall make application to said board for permission so to do, and thereupon said board shall issue to such driver a permit in writing authorizing him to drive the particular public cart for which application is made and shall cancel and revoke the applicant's authority to drive any other licensed public cart. Said board shall keep such a record as will enable them to know at all times the name and number of each licensed driver and the particular public cart each driver is authorized or permitted to drive during any period of time.

**2336. Tariff of rates.]** The rates to be charged for the use of any public cart licensed under the provisions of this article for the transporting or conveying of bundles, parcels, furniture, trunks, baggage, goods, wares, merchandise, or other articles and for the loading and unloading of the same, shall be not to exceed the following:

1. For loads (other than household furniture) not exceeding five hundred pounds weight, one mile, fifty cents.

2. When the distance exceeds one mile, for each and every additional mile or part thereof, twenty-five cents.

3. Where such load exceeds five hundred pounds, for every five hundred pounds or part thereof in excess of the first five hundred pounds: For the first mile, 50 cents; for each additional mile, 25 cents.

4. Household furniture, per load of one-horse vehicle, for the first two miles or part thereof, \$1.50.

5. Where the distance exceeds two miles, for each additional mile or part thereof, 25 cents.

6. Household furniture, per load on two-horse vehicle, for the first two miles or part thereof, \$3.00.

7. Where the distance exceeds two miles, for every additional mile or part thereof, \$1.00.

**2337. Stands for public carts.]** A space forty feet wide in the middle of Market street, extending from the south line of Randolph street to the north line of Washington street, and from the south line of Washington street to the north line of Madison street, shall be set apart as a stand for public carts.

No licensed public cartman shall loiter or lounge upon the sidewalks or public ways of the city away from the vehicle of which he is in charge, or obstruct any street crossing or the entrance to any railroad depot or other public place; and every public cartman while waiting for employment upon the streets or public ways of the city shall pay strict attention to his horse or horses or to his vehicle and shall at all times be in the immediate proximity of same.

**2338. Driver to give name and residence when required.]** It shall be the duty of every public cart driver or person in charge or control of a public cart to give to any person who has employed or offered to employ such public cart, and who requests such information the name and place of residence of such driver and the number of the public cart he is driving or is in charge and control of.

**2339. Accident—duty of driver.]** If any accident or injury shall happen to any person or to any vehicle or other thing by reason of such person, vehicle or thing coming or being brought into contact with any public cart or the horse or horses attached thereto or anything loaded thereon, it shall be the duty of the driver or person having charge or control of such public cart immediately to stop and give his name, residence and the number of the public cart he is driving or is in charge or control of, to the person or persons injured, or to the driver or person in charge or control of any vehicle or thing which has come or been brought into contact or collision with such public cart.

**2340. Public cartman's lien on goods.]** Every public cartman shall be entitled to be paid the legal rate or compensation allowed and

provided in this article, immediately upon the carting or transportation of any article or thing to its destination, and it shall be lawful for any such public cartman to retain any article or thing so carted or transported by him for which he is not paid his cartage, and to convey the same without delay to the police station nearest the point at which such articles or things were to be delivered or transported; and he shall be entitled, in addition to the lawful rate of pay for transporting such articles or things to the original destination, to charge the legal rate of compensation for conveying such articles or things from such point of destination to such police station; all disputes or disagreements as to distances or rates of compensation between public cartmen and persons employing them or owing them for cartage or transportation, shall be determined by the officer in charge of such police station to which such articles or things have been conveyed; or if such articles or things be not conveyed to a police station, such dispute or disagreement shall be determined by any member of the police force.

**2341. Fictitious numbers—misuse of numbers—removal of numbers.]** It shall not be lawful for any person to keep, use, drive or operate any wagon, truck, dray, cart, van or other vehicle with metal plates or other device thereon similar to or resembling the metal plates on licensed public carts, or for any person owning or in possession or control of any licensed public cart to place or have any metal plate which he may have received from the city clerk under the provisions of this article on more than one cart, or to use more vehicles as public carts than he has secured licenses for under the provisions of this article; and it shall be the duty of every person owning or in possession or control of any vehicle licensed as a public cart, at the date of the expiration of the license for such cart to deface, obliterate and remove any metal plate which has been affixed to any such public cart in accordance with the provisions of this article. No metal plate furnished by the city clerk under the provisions of this article and required to be affixed to any public cart shall at any time during the period for which such cart is licensed, be removed therefrom and changed to or affixed upon any other vehicle. If any vehicle licensed under the provisions of this article shall be sold, given away or otherwise change ownership, the metal plates thereon, affixed in accordance with the provisions of this article, shall be removed from such vehicle and shall be defaced or destroyed by the person to whom they were furnished or by the person in charge or control of such vehicle.

**2342. Refusal to convey—right to demand pay in advance.]** No person driving or in charge or control of any public cart shall refuse to convey within the city, the goods, wares, merchandise, or other article or thing of any person when applied to for that purpose; or,

having undertaken to convey such goods, wares, merchandise, or other article or thing shall omit or neglect so to do, or shall ask, take or demand from any person desiring to have conveyed, or having had conveyed to any place in the city, any such goods, wares or merchandise, any greater rate than that herein established. Provided any such driver or person in charge or control of any public cart shall have the right to demand his legal rate of compensation from any person desiring to employ him before accepting such employment.

**2343. Driver not to misinform, or falsely represent.]** No licensed driver or person in charge or control of any licensed public cart shall knowingly misinform any person employing or desiring to employ him, as to the location of any railroad depot, hotel, ticket office or other public or private place within the city; nor shall any such driver or person induce, or attempt to induce, any person to employ his vehicle by falsely representing himself and his vehicle as being in the employment of any public house, railroad or other transportation company; nor shall any such person convey or attempt to convey any goods, wares or merchandise placed in his custody to any place or places other than those designated by the person or persons employing him.

**2344. Driver not to act as runner.]** No licensed driver or person in charge or control of any licensed public cart shall act as a public runner without a license for that purpose, or solicit employment except for the particular vehicle which he is licensed to drive.

**2345. License—suspension or revocation of.]** The provisions of this article shall be enforced by the board of inspectors of public vehicles. The said board shall exercise such supervision as is necessary over all licensed public carts and the drivers thereof, and shall see to it that such carts are kept in a proper condition and that the drivers thereof conduct themselves properly and are not guilty of extortion, misinformation or other violation of the provisions of this article.

Any driver found violating any of the provisions of this article shall for the first offense have his license suspended for a period of ten days; for a second offense, for a period of thirty days and for a third offense, shall have his license revoked. Any driver whose license shall be revoked in accordance with the provisions of this article shall not again be licensed. Such suspension or revocation of license shall be made by the mayor upon the recommendation of the said board of inspectors and shall not exempt any driver from the imposition of any fine provided by this article.

**2346. Penalty.]** Any person violating any of the provisions of this article shall be fined not less than five nor more than one hundred dollars for each offense.

## ARTICLE IV.

## AUTOMOBILES USED AS PUBLIC CARTS.

**2347. All such automobiles to be licensed.]** Any automobile, autocar, or other similar vehicle which shall be kept, used, operated or employed for the purpose of transporting or conveying bundles, parcels, trunks, furniture, baggage, goods, wares, merchandise, or other similar articles, within the city, for hire or reward, and which (except as to motive power), comes within the description and definition of a public cart as described and defined in section 2325 of article III. of this chapter, shall be licensed as prescribed and provided for in and by section 2326 of said article III., and the application for such license shall be made in accordance with the provisions of section 2327 of said article III.

**2348. License fees.]** For every automobile, autocar, or other similar vehicle used as a public cart, and licensed under the provisions of this article, there shall be charged a license fee of five dollars per annum.

**2349. Operators to be licensed.]** No person shall be permitted to operate any automobile, autocar or other similar vehicle used as a public cart and licensed under the provisions of this article, unless he shall first have secured (in addition to the license required to be secured in and by the provisions of chapter IX. of this ordinance as to his qualifications as an operator) a license so to do in the manner hereinafter set forth.

**2350. Application for operator's license—change of residence.]** Any person not less than sixteen years of age, desiring to secure a license as an operator of any automobile, autocar or other similar vehicle used as a public cart and licensed hereunder, shall make application in writing therefor to the board of inspectors upon a form to be provided by said board; setting forth in such application the name of the applicant, his residence and occupation and such application, if approved by said board shall be transmitted to the mayor. Upon payment by such applicant to the city collector of a license fee of one dollar, the mayor shall issue, or cause to be issued, a license attested by the city clerk, authorizing such applicant to act as an operator of any public cart licensed under the provisions of this article, until the expiration of his license as such operator. If any person so licensed as an operator shall change his residence at any time before the expiration of his license, he shall forthwith notify the city collector of such fact.

**2351. Metal plate with license number on public carts.]** Every automobile, autocar, or other similar vehicle, licensed as a public cart

under the provisions of this article, shall have, securely fastened on the outside and on each side of such vehicle so licensed, in a conspicuous place so that the same may be easily seen, a metal plate not less than eight inches long and four inches wide, on which shall be stamped a number corresponding to the license number of such public cart, and also the words "Chicago Public Cart," together with the year for which the license is issued. Such metal plates shall be obtained from the city collector, and during each license year such plates shall be of a different color than that used for such plates during the preceding year, and shall have stamped thereon the year for which such plates are issued. At the expiration of the period for which such public cart is licensed, the metal plate so fastened thereon shall be removed, and no public cart shall be permitted to be used without the proper metal plates provided for in this article, affixed thereto, or with any metal plate for a license period or year other than the licensed period or year for which such metal plate is affixed to such public cart.

**2352. Operating unlicensed public cart—penalty.]** Any person or corporation who shall keep, use or operate, or be in charge, possession, or control of, or cause to be kept, used or operated, upon any of the streets or public ways of the city, any automobile, autocar or other similar vehicle used as a public cart as defined in section 2325 of article III. of this chapter, which has not been licensed in accordance with and pursuant to the provisions of this article, or who keeps, uses or operates or causes to be kept, used or operated any such automobile, autocar or other similar vehicle, in violation of any of the provisions of this article, shall be fined not less than five dollars nor more than one hundred dollars for each offense, and each day on which any such person or corporation shall so keep, use or operate or cause to be kept, used or operated any such automobile, autocar or other similar vehicle, as a public cart, after the first offense, shall constitute a separate and distinct offense.

**2353. Badge for operators of public carts.]** Every person licensed as an operator of any automobile, autocar or other similar vehicle licensed as a public cart under the provisions of this article, shall at all times, while acting as such operator, wear a metal badge not less than two inches long and one and one-half inches wide, having a number thereon corresponding to the number of such operator's license, and also the words "Public Cart Operator," with the year for which such license is issued. Such badge shall be provided with a pin or other fastening, and shall be worn by such licensed operator in a conspicuous place on the outside of his outside coat so that it may be easily seen. Such badges shall be procured from the city collector at the time of the issuance of the license and shall be of a different design for each year.

**2354. Operator acting without license—penalty.]** Any person who shall operate any automobile, autocar, or other similar vehicle licensed as a public cart under the provisions of this article, or who shall hold himself out as the operator of any such automobile, autocar or other similar vehicle, without being licensed to act as such operator in accordance with and pursuant to the provisions of this article, or who shall operate any automobile, autocar, or other similar vehicle used as a public cart, without wearing a badge in the manner and form as required by the provisions of this article, shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

**2355. Stands for public carts.]** Any automobile, autocar or other similar vehicle, used as a public cart and licensed as such under the provisions of this article, shall have the right to occupy any public cart stand which may be provided for by ordinance of the city, or which is now provided for by section 2337, of article III. of this chapter.

**2356. Operator to give name and residence when required.]** It shall be the duty of every operator or person in charge or control of any automobile, autocar or other similar vehicle, used as a public cart and licensed as such, to give to any person who has employed or offered to employ such public cart, and who requests such information, the name and place of residence of such operator, and the license number of the public cart he is operating or is in charge of.

**2357. Accident — duty of operator.]** If any accident or injury shall happen to any person, or to any vehicle, or other thing by reason of such person, vehicle or thing coming or being brought into contact with any automobile, autocar or other similar vehicle used as a public cart and licensed as such, or with anything attached thereto, or loaded thereon, it shall be the duty of the operator or person having charge or control of such automobile, autocar or other similar vehicle, to immediately stop and give his name, residence and the license number of the vehicle he is operating, or is in charge and control of, to the person or persons injured, or to the driver or operator or person in charge or control of any vehicle or thing which has come or been brought into contact or collision with such public cart.

**2358. Cartman's lien on goods.]** The provisions of section 2340 of article III. of this chapter shall apply to and govern all automobiles, autocars or other similar vehicles, licensed as public carts under the provisions of this article, and shall be of the same effect as if set out herein in full.

**2359. Fictitious numbers—misuse of numbers—removal of numbers.]** The provisions of section 2341 of article III. of this chapter, relating to the use of fictitious numbers, misuse of numbers and the removal of numbers at the expiration of license, shall apply to and govern all automobiles, autocars and other similar vehicles used as

public carts and licensed as such under the provisions of this article, and shall be held to be of the same effect as if set out herein in full.

**2360. Refusal to convey—right to demand pay in advance.]** The provisions of section 2342 of article III. of this chapter, prohibiting public cart men from refusing to convey, and giving such public cart men the right to demand pay in advance, shall apply to and govern all operators of automobiles, autocars, or other similar vehicles used as public carts and licensed as such under the provisions of this article, and shall be of the same effect as if set out herein in full.

**2361. Operator not to misinform or falsely represent.]** The provisions of section 2343 of article III. of this chapter, relating to false representations or misinformation given by a licensed public cart man, shall apply to and govern all persons licensed as operators of automobiles, autocars or other similar vehicles used as public carts and licensed as such, and shall be of the same effect as if set out herein in full.

**2362. Suspension or revocation of license.]** The provisions of section 2345 of article III. of this chapter, relating to the suspension or revocation of the license of drivers of public carts and supervision of the board of inspectors of public vehicles, shall apply to and govern all operators of automobiles, autocars, or other similar vehicles used as public carts and licensed as such and shall be of the same effect as if set out herein in full.

**2363. Operator not to act as runner.]** No licensed operator or person in charge or control of any automobile, autocar or other similar vehicle used as a public cart and licensed as such, shall act as a public runner as defined in chapter LV. of this ordinance, without a license for that purpose, or solicit employment except for the particular vehicle which he is licensed to operate.

**2364. Tariff of rates.]** The rates to be charged for the use of any automobile, autocar or other similar vehicle used as a public cart and licensed under the provisions of this article for the transportation or conveyance of bundles, parcels, furniture, trunks, baggage, goods, wares, merchandise, or other similar articles, and for the loading and unloading of the same, shall be the same as the rates provided for in and by section 2336 of article III. of this chapter; except as to clauses four, five, six and seven of said section, which said clauses shall not apply to vehicles licensed under the provisions of this article.

**2365. Board of inspectors to enforce provisions.]** The board of inspectors of public vehicles shall enforce the provisions of this article, and shall exercise such supervision over all vehicles licensed hereunder as public carts, and the operators thereof, as is necessary and proper to carry into effect the provisions of this article and the provisions of article III. which apply hereto, as provided for in and by this article.



**2366. Penalty.]** Any person violating any of the provisions of this article shall be fined not less than five dollars nor more than one hundred dollars for each offense.

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## ARTICLE V.

### LIVERY STABLES.

**2367. Livery stable defined.]** The words "livery stable" as used in this article shall be held to mean, and are hereby defined as meaning, any barn, stable, building or other place within the city where horses are boarded, or where rent is paid to the keeper thereof for their keeping, or where horses are let or hired out for reward; or where carriages, cabs, hacks, automobiles, autocars, or any vehicle, whether drawn by horses or not, are kept, or let for hire or reward to any person, whether such vehicle be so hired out or let with or without a driver.

**2368. Livery stables to be licensed.]** No person or corporation shall keep, conduct or operate a livery stable or carry on the business of livery stable keeper in this city without first obtaining a license so to do in the manner hereinafter provided.

**2369. Application.]** Any person desiring to keep, conduct or operate a livery stable, or to carry on the business of keeper of a livery stable, shall make application to the mayor, on a form to be provided by the city collector. Such application shall set forth the name of the applicant, and if an individual or individuals, the place of his or their residence; and if a corporation, the names of its officers and their place of residence. Such application shall also contain the location of the place at which it is intended to keep such livery stable, or to conduct the business of keeper of a livery stable; and shall also contain the number of vehicles to be kept in such livery stable, together with a description of the style or type thereof. The mayor shall thereupon issue, or cause to be issued a license upon the payment by such applicant to the city collector of a license fee in accordance with the rates hereinafter fixed.

**2370. License fees.]** 1. For all livery stables, whether horses or vehicles or both, are kept where not more than five vehicles (whether drawn by animals or not) are kept for the purpose of being let or hired for reward, twenty-five dollars per annum.

2. For all livery stables where more than five vehicles (whether drawn by animals or not) are kept to be let or hired for reward, there shall be charged, in addition to the fee of twenty-five dollars specified in clause 1 of this article for each vehicle in excess of five the following rates:

For each vehicle, to be drawn by two or more horses, or other animals, five dollars per annum.

For each automobile, autocar or other similar vehicle, the seating capacity of which, exclusive of the operator's seat, shall be four or more persons, five dollars per annum.

For each vehicle to be drawn by one horse or other animal, two dollars and fifty cents per annum.

For each automobile, autocar or other similar vehicle, the seating capacity of which, exclusive of the operator's seat, shall not exceed three persons, two dollars and fifty cents per annum.

**2371. Additions to number of vehicles—change of location.]** If any person or corporation licensed to keep a livery stable under the provisions of this article shall at any time before the expiration of his or its license, add to the number of vehicles in such livery stable, to be kept or let for hire or reward, such livery stable keeper shall forthwith report to the board of inspectors of public vehicles such fact, describing the vehicle or vehicles so added, and shall pay for each such vehicle so added, in accordance with the rates hereinabove fixed.

If more than six months of the current license period has elapsed at the time any such addition is made, such livery stable keeper shall be required to pay one-half the annual license fee fixed for the style of vehicle so added. If less than six months of the current license period shall have expired, the annual rate shall be charged for such vehicle so added, according to its style or type. If such livery stable keeper shall at any time before the expiration of any license issued to him under the provisions of this article change his place of business, he shall forthwith give notice of such fact to the city collector.

**2372. License to contain number and description of vehicles to be kept.]** Every license issued under the provisions of this article shall state the number and description of the vehicles and whether drawn by two or more horses, or by one horse, and whether automobiles, autocars, or other similar vehicles, with the seating capacity thereof which the licensee keeps or intends to keep at such licensed livery stable to be let or hired for reward.

**2373. Metal plates with license number to be affixed to vehicles.]** Every vehicle kept by any livery stable keeper to be let or hired for reward shall have affixed thereto a metal plate not less than two inches square containing thereon a number corresponding to the license number of such livery stable, and the words "Chicago Livery," and the year for which such license plate was issued. Such metal plates shall be obtained from the city clerk.

At the expiration of the period for which such livery stable is licensed, the metal plate so affixed shall be forthwith removed and no livery stable keeper shall be permitted to keep upon any vehicle kept

by him to be let or hired for reward, any metal plate issued for a license year different or other than the year during which such metal plate is affixed to such vehicle.

**2374. Fictitious numbers—penalty.]** No person or corporation licensed under the provisions of this article to keep a livery stable shall cause or permit to be affixed to any vehicle kept in such livery stable to be let or hired for reward any metal plate or plates resembling or similar to the plate authorized to be issued under the provisions of this article, and any such livery stable keeper who shall so permit or cause any metal plate similar to or resembling the metal plate herein provided for to be affixed to any vehicle kept to be let for hire or reward shall be fined not less than five nor more than twenty-five dollars for each offense. Any livery stable keeper who shall let for hire or reward any vehicle which shall not have affixed thereto a metal plate for the current license period, as hereinbefore provided, or who shall change or remove the plate from one vehicle to another, or who shall keep or let for hire or reward more vehicles than he has secured metal plates for, shall be fined not less than five nor more than one hundred dollars for each offense.

**2375. Board of inspectors to enforce ordinance—right of entry—penalty.]** The board of inspectors of public vehicles shall enforce the provisions of this article and shall from time to time inspect each livery stable licensed hereunder for the purposes of inquiring into the number of vehicles kept in such livery stable to be let or hired for reward, and for the purpose of inquiring whether the provisions of this article are being observed by such livery stable keeper; and any member of the board of inspectors, or any assistant inspector shall have the right to enter any licensed livery stable at any time when such livery stable is open for business for the purpose of carrying out and enforcing the provisions of this article. Any keeper of a livery stable who shall refuse to permit the entry of any member of the board of inspectors, or any assistant inspector when requested to permit such entry for the purpose herein specified, shall be fined not less than five nor more than one hundred dollars for each offense.

**2376. Livery vehicles not to stand on streets waiting for employment.]** No person driving or in charge or control of any vehicle kept by any licensed livery stable keeper to be let for hire or reward shall be permitted to stand upon the streets or public ways of the city for the purpose of soliciting or securing employment for such vehicle unless such vehicle be licensed for that purpose in accordance with the provisions of article I. of this chapter.

**2377. Penalty.]** Any person violating any of the provisions of this article, shall be fined not less than five nor more than one hundred dollars for each offense.

## CHAPTER LXX.

### WARDS.

**2378. Boundaries.]** The city of Chicago is hereby redistricted and divided into thirty-five wards, as follows:

#### FIRST WARD.

All that portion of the city of Chicago bounded as follows:

Beginning at the center line of the mouth of the Chicago river; thence west and south along the center of said river to the center line of Twenty-second street, projected; thence east along the center line of Twenty-second street, projected, to the shore of Lake Michigan; thence north along the shore of Lake Michigan to the center of the mouth of the Chicago river, shall be denominated and be the First Ward.

#### SECOND WARD.

All that portion of the city of Chicago bounded as follows:

Beginning at the intersection of the shore of Lake Michigan and the center line of Twenty-second street, projected; thence west along the center line of Twenty-second street to the center line of Clark street; thence south along the center line of Clark street to the center line of Twenty-sixth street; thence west along the center line of Twenty-sixth street to the center line of Princeton avenue, thence south along the center line of Princeton avenue to the center line of Thirty-second street; thence east along the center line of Thirty-second street to the center line of Calumet avenue; thence south along the center line of Calumet avenue to the center line of Thirty-third street; thence east along the center line of Thirty-third street, projected, to the shore of Lake Michigan; thence north along the shore of Lake Michigan to the center line of Twenty-second street, projected, shall be denominated and be the Second Ward.

#### THIRD WARD.

All that portion of the city of Chicago bounded as follows:

Beginning at the intersection of the shore of Lake Michigan and the center line of Thirty-third street projected; thence west along the center line of Thirty-third street to the center line of Calumet

avenue; thence north along the center line of Calumet avenue to the center line of Thirty-second street, thence west along the center line of Thirty-second street to the center line of Parnell avenue; thence south along the center line of Parnell avenue to the center line of Thirty-ninth street; thence east along the center line of Thirty-ninth street to the center line of State street; thence east along the Township line dividing the township of South Chicago and the township of Hyde Park to Lake Michigan; thence northerly along the shore of Lake Michigan to the center line of Thirty-third street, projected, shall be denominated and be the Third Ward.

#### FOURTH WARD.

All that portion of the city of Chicago bounded as follows:

Beginning at the intersection of the center line of Twenty-second street, projected, and the center line of the south branch of the Chicago river; thence south and west along the center line of the south branch of the Chicago river to the center line of Loomis street; thence southeasterly along the center line of Loomis street to the center line of Thirty-first street; thence west along the center line of Thirty-first street to the center line of Centre avenue; thence south along the center line of Centre avenue to the center line of Thirty-second place; thence east along the center line of Thirty-second place to the center line of Morgan street; thence south along the center line of Morgan street to the center line of Thirty-third street; thence east along the center line of Thirty-third street to the center line of South Halsted street; thence south along the center line of South Halsted street to the center line of Thirty-third street; thence east along the center line of Thirty-third street to the center line of Parnell avenue; thence north along the center line of Parnell avenue to the center line of Thirty-second street; thence east along the center line of Thirty-second street to the center line of Princeton avenue; thence north along the center line of Princeton avenue to the center line of Twenty-sixth street; thence east along the center line of Twenty-sixth street to the center line of Clark street; thence north along the center line of Clark street to the center line of Twenty-second street; thence west along the center line of Twenty-second street to the place of beginning, shall be denominated and be the Fourth Ward.

#### FIFTH WARD.

All that portion of the city of Chicago bounded as follows:

Beginning at the intersection of the center line of Loomis street projected and the center line of the Chicago river; thence southwest-erly along the center line of said river and the Illinois and Michigan canal to the center line of Thirty-ninth street; thence east along the

center line of Thirty-ninth street to the center line of Parnell avenue; thence north along the center line of Parnell avenue to the center line of Thirty-third street; thence west along the center line of Thirty-third street to the center line of South Halsted street; thence north along the center line of South Halsted street to the center line of Thirty-third street; thence west along the center line of Thirty-third street to the center line of South Morgan street; thence north along the center line of South Morgan street to the center line of Thirty-second place; thence west along the center line of Thirty-second place to the center line of Centre avenue; thence north along the center line of Centre avenue to the center line of Thirty-first street; thence east along the center line of Thirty-first street to the center line of Loomis street; thence northwesterly along the center line of Loomis street to the center line of the Chicago river, shall be denominated and be the Fifth Ward.

#### SIXTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the northeast corner of the township of Hyde Park; thence west along said town line to the center line of South State street; thence south along the center line of South State street to the center line of Fifty-first street; thence east along the center line of Fifty-first street to the center line of Cottage Grove avenue; thence south along the center line of Cottage Grove avenue to the center line of Fifty-second street; thence east along the center line of Fifty-second street, projected, to the shore of Lake Michigan; thence northwesterly along the shore of Lake Michigan to the place of beginning, shall be denominated and be the Sixth Ward.

#### SEVENTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the shore of Lake Michigan and the center line of Fifty-second street, projected; thence west along the center line of Fifty-second street, projected, and the center line of Fifty-second street to the center line of Cottage Grove avenue; thence north along the center line of Cottage Grove avenue to the center line of Fifty-first street; thence west along the center line of Fifty-first street to the center line of South State street; thence south along the center line of South State street to the center line of Seventy-first street; thence east along the center line of Seventy-first street to the shore of Lake Michigan; thence northwesterly along the shore of Lake Michigan to Fifty-second street, projected, shall be denominated and be the Seventh Ward.

**EIGHTH WARD.**

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center line of Seventy-first street and the shore of Lake Michigan; thence west along the center line of Seventy-first street to the center line of Stony Island avenue; thence south along the center line of Stony Island avenue and Stony Island avenue projected through Lake Calumet to the intersection of the east line of sections twenty-six and thirty-five, township thirty-seven north, range fourteen; thence south along the said section line to the city limits; thence east along the city limits to the Indiana State Line; thence north along the Indiana State Line to the shore of Lake Michigan; thence northwesterly along the shore of Lake Michigan to the center line of Seventy-first street, shall be denominated and be the Eighth Ward.

**NINTH WARD.**

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center line of the South Branch of the Chicago river and the center line of West Twelfth street; thence west along the center line of West Twelfth street to the center line of South Morgan street; thence south along the center line of South Morgan street to the center line of West Eighteenth street; thence west along the center line of West Eighteenth street to the center line of South Morgan street; thence south along the center line of South Morgan street to the center line of the South Branch of the Chicago river; thence northeasterly along the center line of the South Branch of the Chicago river to the place of beginning, shall be denominated and be the Ninth Ward.

**TENTH WARD.**

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center line of South Morgan street and the center line of West Twelfth street; thence west along the center line of West Twelfth street to the center line of Laffin street; thence south along the center line of Laffin street to the center line of the South Branch of the Chicago river; thence northeasterly along the center line of the South Branch of the Chicago river to the center line of South Morgan street; thence north along the center line of South Morgan street to the center line of West Eighteenth street; thence east along the center line of West Eighteenth street to the center line of South Morgan street; thence north along the center line of South Morgan street to the place of beginning, shall be denominated and be the Tenth Ward.

## ELEVENTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of Laflin street and West Taylor street; thence west along the center line of West Taylor street to the center line of Cypress street; thence south along the center line of Cypress street to the center line of West Twelfth street; thence west along the center line of West Twelfth street to the center line of South Hoyne avenue; thence south along the center line of South Hoyne avenue to the center line of the Illinois and Michigan canal; thence northeasterly along the center line of the Illinois and Michigan canal and the south branch of the Chicago river to the center line of Laflin street; thence north along the center line of Laflin street to the center line of West Taylor street, shall be denominated and be the Eleventh Ward.

## TWELFTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of South Hoyne avenue and West Twelfth street; thence west along the center line of West Twelfth street to the center line of South Homan avenue; thence south along the center line of South Homan avenue to the center line of Ogden avenue; thence southwesterly along the center line of Ogden avenue to the center line of Clifton Park avenue; thence south along the center line of Clifton Park avenue to the center line of West Twenty-fourth street; thence west along the center line of West Twenty-fourth street to the center line of South Central Park avenue; thence south along the center line of South Central Park avenue to the center line of the Illinois and Michigan canal; thence northeasterly along the Illinois and Michigan canal to the center line of South Hoyne avenue; thence north along the center line of South Hoyne avenue to the place of beginning, shall be denominated and be the Twelfth Ward.

## THIRTEENTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of South West-ern avenue and Washington boulevard; thence west along the center line of Washington boulevard to the center line of Homan avenue; thence north along the center line of Homan avenue to the center line of West Kinzie street; thence west along the center line of West Kinzie street to the center line of Fortieth avenue; thence south along the center line of Fortieth avenue to the center line of West



Twelfth street; thence east along the center line of West Twelfth street to the center line of South Western avenue; thence north along the center line of South Western avenue to the place of beginning, shall be denominated and be the Thirteenth ward.

FOURTEENTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of North Ashland avenue and West Chicago avenue; thence west along the center line of West Chicago avenue to the center line of North Homan avenue; thence south along the center line of North Homan avenue to the center line of Washington boulevard; thence east along the center line of Washington boulevard to the center line of Ashland avenue; thence north along the center line of Ashland avenue to the place of beginning, shall be denominated and be the Fourteenth Ward.

FIFTEENTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of North Robey street and West North avenue; thence west along the center line of West North avenue to the center line of North Kedzie avenue; thence south along the center line of North Kedzie avenue to the center line of West Chicago avenue; thence east along the center line of West Chicago avenue to the center line of North Ashland avenue; thence north along the center line of North Ashland avenue to the center line of West Division street; thence west along the center line of West Division street to the center line of North Robey street; thence north along the center line of North Robey street to the place of beginning, shall be denominated and be the Fifteenth Ward.

SIXTEENTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of the north branch of the Chicago river and Fullerton avenue; thence west along the center line of Fullerton avenue to the center line of North Robey street; thence south along the center line of North Robey street to the center line of West Division street; thence east along the center line of West Division street to the center line of the north branch of the Chicago river; thence north and northwesterly along the center line of the north branch of the Chicago river to the place of beginning, shall be denominated and be the Sixteenth Ward.

**SEVENTEENTH WARD.**

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center line of the north branch of the Chicago river and West Division street; thence west along the center line of West Division street to the center line of North Ashland avenue; thence south along the center line of North Ashland avenue to the center line of West Kinzie street; thence east along the center line of West Kinzie street to the center line of the north branch of the Chicago river; thence northwesterly along the center line of the north branch of the Chicago river to the place of beginning, shall be denominated and be the Seventeenth Ward.

**EIGHTEENTH WARD.**

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of the Chicago river and West Kinzie street; thence west along the center line of West Kinzie street to the center line of North Ashland avenue; thence south along the center line of North Ashland avenue to the center line of West Madison street; thence east along the center line of West Madison street to the center line of Centre avenue; thence south along the center line of Centre avenue to the center line of West Van Buren street; thence east along the center line of West Van Buren street to the center line of the south branch of the Chicago river; thence north along the center line of the south branch of the Chicago river to the place of beginning, shall be denominated and be the Eighteenth Ward.

**NINETEENTH WARD.**

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center line of the south branch of the Chicago river and West Van Buren street; thence west along the center line of West Van Buren street to the center line of Loomis street; thence south along the center line of Loomis street to the center line of West Taylor street; thence west along the center line of West Taylor street to the center line of Laffin street; thence south along the center line of Laffin street to the center line of West Twelfth street; thence east along the center line of West Twelfth street to the center line of the south branch of the Chicago river; thence northerly along the center line of the south branch of the Chicago river to the place of beginning, shall be denominated and be the Nineteenth Ward.

## TWENTIETH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of South Ashland avenue and West Madison street; thence north along the center line of South Ashland avenue to the center line of Washington boulevard; thence west along the center line of Washington boulevard to the center line of South Western avenue; thence south along the center line of South Western avenue to the center line of West Twelfth street; thence east along the center line of West Twelfth street to the center line of Cypress street; thence north along the center line of Cypress street to the center line of West Taylor street; thence east along the center line of West Taylor street to the center line of Loomis street; thence north along the center line of Loomis street to the center line of West Van Buren street; thence east along the center line of West Van Buren street to the center line of Centre avenue; thence north along the center line of Centre avenue to the center line of West Madison street; thence west along the center line of West Madison street to the place of beginning, shall be denominated and be the Twentieth Ward.

## TWENTY-FIRST WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the shore line of Lake Michigan and the center line of North avenue; thence west along the center line of North avenue to the center line of Sedgwick street; thence south along the center line of Sedgwick street to the center line of Division street; thence east along the center line of Division street to the center line of Wells street; thence south along the center line of Wells street to the center line of the Chicago river; thence east along the center line of the Chicago river to Lake Michigan; thence northerly and along the shore of Lake Michigan to the center line of North avenue, shall be denominated and be the Twenty-first Ward.

## TWENTY-SECOND WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of North avenue and Sedgwick street; thence west along the center line of North avenue to the center line of the north branch of the Chicago river; thence south and southeasterly along the north branch of the Chicago river to the center line of Wells street; thence north along the center line of Wells street to the center line of Division street; thence west along the center line of Division street to the center line of Sedgwick

street; thence north along the center line of Sedgwick street to the place of beginning, shall be denominated and be the Twenty-second Ward.

#### TWENTY-THIRD WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the lake shore of Lake Michigan and the center line of Fullerton avenue; thence west along the center line of Fullerton avenue to the center line of North Halsted street; thence south along the center line of North Halsted street to the center line of Center street; thence west along the center line of Center street to the center line of Racine avenue; thence south along the center line of Racine avenue to the center line of Clybourn place; thence west along the center line of Clybourn place to the center line of the north branch of the Chicago river; thence southeasterly and south along the center line of the north branch of the Chicago river to the center line of North avenue; thence east along the center line of North avenue to the shore of Lake Michigan; thence northerly along the shore of Lake Michigan to the place of beginning, shall be denominated and be the Twenty-third Ward.

#### TWENTY-FOURTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of Racine avenue and Belmont avenue; thence west along the center line of Belmont avenue to the center line of the north branch of the Chicago river; thence southeasterly along the center line of the north branch of the Chicago river to the center line of Clybourn place; thence east along the center line of Clybourn place to the center line of Racine avenue; thence north along the center line of Racine avenue to the center line of Center street; thence east along the center line of Center street to the center line of North Halsted street; thence north along the center line of North Halsted street to the center line of Fullerton avenue; thence west along the center line of Fullerton avenue to the center line of Racine avenue; thence north along the center line of Racine avenue to the place of beginning, shall be denominated and be the Twenty-fourth Ward.

#### TWENTY-FIFTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the shore of Lake Michigan and the Indian boundary line; thence southwesterly along the Indian boundary line to the center line of Howard street, projected;

thence west along the center line of Howard street, projected, to the center line of Ridge road; thence south and southeasterly along the center line of Ridge road to the center line of Devon avenue; thence east along the center line of Devon avenue to the center line of North Clark street; thence south and southeasterly along the center line of North Clark street to the center line of Irving Park boulevard (Graceland avenue); thence east along the center line of Irving Park boulevard (Graceland avenue) to the center line of Racine avenue, projected; thence south along the center line of Racine avenue, projected, to the center line of Fullerton avenue; thence east along the center line of Fullerton avenue to the shore of Lake Michigan; thence northerly along the shore of Lake Michigan to the place of beginning, shall be denominated and be the Twenty-fifth Ward.

#### TWENTY-SIXTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of Ridge road and Howard street, projected; thence west along the center line of Howard street, projected, to the center line of North Kedzie avenue, projected; thence south along the center line of North Kedzie avenue, projected, to the center line of West Devon avenue, projected; thence east along the center line of West Devon avenue, projected, to the center line of North Western avenue; thence south along the center line of North Western avenue to the center line of Belmont avenue; thence east along the center line of Belmont avenue to the center line of Racine avenue, projected; thence north along the center line of Racine avenue, projected, to the center line of Irving Park boulevard (Graceland avenue); thence west along the center line of Irving Park boulevard (Graceland avenue) to the center line of North Clark street; thence northwesterly and northerly along the center line of North Clark street to the center line of Devon avenue; thence west along the center line of Devon avenue to the center line of Ridge road; thence northwesterly and northerly along the center line of Ridge road to the place of beginning, shall be denominated and be the Twenty-sixth Ward.

#### TWENTY-SEVENTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center line of North Western avenue and West Devon avenue, projected; thence west along the center line of West Devon avenue, projected, to the intersection of the center line of North Sixty-fourth avenue, projected; thence north, northwest, northeast, northwest, west, north, west, south, west, south, west, south, east, and south along the city limits to the center

line of West Bryn Mawr avenue, projected; thence east along the center line of West Bryn Mawr avenue, projected, to the center line of North Sixtieth avenue, projected; thence south along the center line of North Sixtieth avenue, projected, to the center line of West Irving Park boulevard; thence west along the center line of West Irving Park boulevard to the center line of North Seventy-second avenue, projected; thence south along the center line of North Seventy-second avenue, projected, to the center line of West North avenue; thence east along the center line of West North avenue to the center line of North Kedzie avenue; thence north along the center line of North Kedzie avenue to the center line of Diversey boulevard; thence east along the center line of Diversey boulevard, projected, to the center line of the north branch of the Chicago river; thence northwesterly along the center line of the north branch of the Chicago river to the center line of Belmont avenue; thence east along the center line of Belmont avenue to the center line of North Western avenue; thence north along the center line of North Western avenue to the place of beginning shall be denominated and be the Twenty-seventh Ward.

#### TWENTY-EIGHTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center line of the north branch of the Chicago river and Diversey boulevard; thence west along the center line of Diversey boulevard to the center line of North Kedzie avenue; thence south along the center line of North Kedzie avenue to the center line of West North avenue; thence east along the center line of West North avenue to the center line of North Robey street; thence north along the center line of North Robey street to the center line of West Fullerton avenue; thence east along the center line of West Fullerton avenue to the center line of the north branch of the Chicago river; thence northwesterly along the north branch of the Chicago river to the place of beginning, shall be denominated and be the Twenty-eighth Ward.

#### TWENTY-NINTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of South Halsted street and West Thirty-ninth street; thence west along the center line of West Thirty-ninth street, projected, to the center line of South Forty-eighth avenue, projected; thence south along the center line of South Forty-eighth avenue, projected, to the center line of West Fifty-fifth street; thence east along the center line of West

Fifty-fifth street to the center line of South Halsted street; thence north along the center line of South Halsted street to the place of beginning, shall be denominated and be the Twenty-ninth Ward.

THIRTIETH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of South State street and Thirty-ninth street; thence west along the center line of West Thirty-ninth street to the center line of South Halsted street; thence south along the center line of South Halsted street to the center line of West Fifty-fifth street; thence east along the center line of West Fifty-fifth street to the center line of South State street; thence north along the center line of South State street to the place of beginning, shall be denominated and be the Thirtieth Ward.

THIRTY-FIRST WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of West Fifty-fifth and South State streets; thence west along the center line of West Fifty-fifth street to the center line of South Forty-eighth avenue; thence south along the center line of South Forty-eighth avenue to the center line of West Eighty-seventh street; thence east along the center line of West Eighty-seventh street to the center line of South Western avenue; thence north along the center line of South Western avenue to the center line of West Seventy-ninth street; thence east along the center line of West Seventy-ninth street to the center line of Loomis street; thence north along the center line of Loomis street to the center line of Sixty-third street; thence east along the center line of Sixty-third street to the center line of South State street; thence north along the center line of South State street to the place of beginning, shall be denominated and be the Thirty-first Ward.

THIRTY-SECOND WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of South State street and West Sixty-third street; thence west along the center line of West Sixty-third street to the center line of Loomis street; thence south along the center line of Loomis street to the center line of West Seventy-ninth street; thence west along the center line of West Seventy-ninth street to the center line of South Western avenue; thence south along the center line of South Western avenue to the center line of West One Hundred and Seventh street; thence east

along the center line of West One Hundred and Seventh street to the center line of South Halsted street; thence north along the center line of South Halsted street to the center line of West One Hundred and Third street; thence east along the center line of West One Hundred and Third street to the center line of Stewart avenue; thence north along the center line of Stewart avenue to the center line of West Ninety-ninth street; thence east along the center line of West Ninety-ninth street to the center line of South State street; thence north along the center line of South State street to the place of beginning, shall be denominated and be the Thirty-second Ward.

#### THIRTY-THIRD WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of Stony Island avenue and Seventy-first street; thence west along the center line of Seventy-first street to the center line of South State street; thence south along the center line of South State street to the center line of West Ninety-ninth street; thence west along the center line of West Ninety-ninth street to the center line of Stewart avenue; thence south along the center line of Stewart avenue to the center line of West One Hundred and Third street; thence west along the center line of West One Hundred and Third street to the center line of South Halsted street; thence south along the center line of South Halsted street to the center line of West One Hundred and Eleventh street; thence west along the center line of West One Hundred and Eleventh street to the center line of South Peoria street; thence south along the center line of South Peoria street to the center line of West One Hundred and Fifteenth street; thence west along the center line of West One Hundred and Fifteenth street to the center line of South Ashland avenue; thence south along the center line of South Ashland avenue to the center line of West One Hundred and Twenty-third street; thence east along the center line of West One Hundred and Twenty-third street to the center line of South Halsted street; thence south along the center line of South Halsted street to the city limits; thence east, south and east along the city limits to the east line of sections thirty-five and twenty-six, township thirty-seven north, range fourteen; thence north along said section line, projected through Lake Calumet, to the center line of Stony Island avenue, projected; thence north along the center line of Stony Island avenue, projected, to the place of beginning, shall be denominated and be the Thirty-third Ward.

#### THIRTY-FOURTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of Fortieth ave-



nue and West Kinzie street; thence west along the center line of West Kinzie street to the center line of Forty-sixth avenue; thence south along the center line of Forty-sixth avenue to the center line of Thirty-ninth street, projected; thence east along the center line of Thirty-ninth street, projected, to the center line of the Illinois and Michigan canal; thence northeasterly along the center line of the Illinois and Michigan canal to the center line of South Central Park avenue; thence north along the center line of South Central Park avenue to the center line of West Twenty-fourth street; thence east along the center line of West Twenty-fourth street to the center line of Clifton Park avenue; thence north along the center line of Clifton Park avenue to the center line of Ogden avenue; thence northeasterly along the center line of Ogden avenue to the center line of South Homan avenue; thence north along the center line of South Homan avenue to the center line of West Twelfth street; thence west along the center line of West Twelfth street to the center line of South Fortieth avenue; thence north along the center line of South Fortieth avenue to the place of beginning, shall be denominated and be the Thirty-fourth Ward.

#### THIRTY-FIFTH WARD.

All that portion of the city of Chicago bounded as follows:

Commencing at the intersection of the center lines of North Kedzie avenue and West North avenue; thence west along the center line of West North avenue to the center line of Austin avenue; thence south along the center line of Austin avenue to the center line of West Twelfth street; thence east along the center line of West Twelfth street to the center line of South Forty-sixth avenue; thence north along the center line of South Forty-sixth avenue to the center line of West Kinzie street; thence east along the center line of West Kinzie street to the center line of North Homan avenue; thence north along the center line of North Homan avenue to the center line of West Chicago avenue; thence east along the center line of West Chicago avenue to the center line of North Kedzie avenue; thence north along the center line of North Kedzie avenue to the place of beginning, shall be denominated and be the Thirty-fifth Ward.

## CHAPTER LXXI.

### WATER.

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#### ARTICLE I.

##### RULES AND REGULATIONS.

**2379. Consumer subject to ordinances and rules—duty of commissioner to enforce.]** Every consumer of water and every owner, occupant or person in possession, charge or control of any building, structure or premises supplied with water through the Chicago water works system shall be governed by and be subject to the provisions of this chapter and such rules and regulations as may from time to time be adopted and approved by the city council governing or concerning the use of water. It is hereby made the duty of the commissioner of public works to enforce the provisions of this chapter and of such rules and regulations as may be adopted as aforesaid.

**2380. Who to be supplied with water—penalty.]** No person, whether owner, occupant, or in possession, charge, or control of any building, structure, or premises into which water is introduced or to which water is supplied through the Chicago water works system shall be allowed without permission from the commissioner of public works to supply other persons or families or to supply water from such building or premises to any other building, structure or premises than the one into which such water supply is introduced. If any person, either as owner, occupant, or in possession, charge or control of any such building, structure or premises violates any of the provisions of this section, the supply of water to the building, structure or premises of such person shall be shut off and stopped forthwith, and any amount which shall or may have been paid for water for the current period shall be forfeited to the city. Where the water supply shall be cut off for a violation of the provisions of this section it shall not again be turned on to such building, structure or premises from which it was cut off until there shall have been paid to the city such sum of money as the commissioner of public works shall deem properly due the city for the amount of water furnished to or used by any person or in any premises in violation of the provisions of this section and until the cost and expense of cutting off or

stopping the water supply from such building, structure or premises shall have been paid.

**2381. Application—contents.]** No water shall be supplied to any building, structure or premises in the city where water is not now being supplied from the Chicago water works system, nor shall any person be permitted to tap any water main or make connection with any service pipe or supply pipe for the purpose of furnishing water to any building, structure or premises, or for any other purpose, until an application in writing shall first have been made to the commissioner of public works by the person desiring such building, structure or premises to be supplied with water or desiring to tap any such main or make connection with any such service or supply pipe. Such application shall set out the full name and address of the applicant and shall state fully all purposes for which a water supply is desired or for which it is desired to tap such water main or make connection with such service or supply pipe, and such applicant shall be required to answer truthfully all questions which shall be put to him by the commissioner of public works or any officer or employe of the bureau of water relating to such application or to the use to be made of the water to be supplied to such applicant. Thereupon such applicant shall be permitted to have water supplied to his building, structure or premises from the Chicago water works system and to tap any such water main or make connection with any such service pipe or supply pipe, as requested in his application and in accordance with the direction of the commissioner of public works and under his supervision and to his satisfaction and approval. Provided that the tapping of any water main shall be done only by a tapper who is an employe of the department of public works.

**2382. Fraudulent representation—water cut off.]** If after the water supply shall have been turned on to such building, structure or premises it shall be found by the commissioner of public works or by any officer or employe of the bureau of water that fraudulent representations have been made by such applicant or that water is being used in or upon such building, structure or premises for purposes not set forth in the application made for the water supply to such building, structure, or premises or that there is wilful and unreasonable use or waste of water in or upon such building, structure or premises, the commissioner of public works shall have the authority and it shall be his duty to cut off and stop the supply of water to such building, structure or premises forthwith, unless the person or persons responsible for such fraudulent representation or for such use of water or wilful or unreasonable waste thereof shall pay to the city such additional sum of money for such water supply or on account of such unreasonable waste of water as the commissioner of public works shall find properly to be due the city or such sum as

would have been charged for the use of such water under the provisions of this chapter if the facts concerning the use of such water were truthfully set forth in such application.

**2383. Persons making connection to provide shutoff boxes.]** Any person, whether owner, occupant or the person in possession, charge or control of any building, structure or premises, with or to which it is desired to make connection with the water works system of the city, shall provide and install at his own expense a buffalo or shutoff box, and such buffalo or shutoff box shall be constructed and located to the satisfaction and approval of the commissioner of public works. No permit shall be issued to connect any building, structure, or premises with the water works system of the city unless such connection be equipped with a buffalo or shutoff box in accordance with the provisions of this section. (Note: See Supplement.)

**2384. Connections prohibited unless under license—penalty.]** Any person who shall lay any water service pipe or introduce into or about any building, structure or premises any water pipe or who shall do any plumbing work in any building, structure or premises for the purpose of connecting such service pipe or plumbing work with the pipes or mains of the Chicago water works system or for the purpose of preparing such service pipes or plumbing work for such connection, with a view or for the purpose of having such building, structure, or premises supplied with water from the Chicago water works system, or who shall make any addition to or alterations of any water pipe, bath, water closet, stop cock or other fixture or apparatus for the supplying of any building, structure, or premises with water from the Chicago water works system, unless he is a duly licensed or bonded plumber and has first obtained a permit for the doing of such work from the commissioner of public works, shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

**2385. Failure to comply with provisions—where one service pipe.]** Whenever two or more parties or two or more separate and independent apartments or suites of rooms or separate floors of any building occupied by different parties shall be supplied from one service pipe connected with the distributing water main, a failure on the part of any one of such parties to comply with all and singular the provisions of this chapter or a failure on the part of any person responsible for the payment of any amount due the city for water supplied to any such apartment, suite or floor, shall authorize the commissioner of public works to cut off and withhold the supply of water from such service pipe without any liability whatsoever against the city or against himself. (Note: See Supplement.)

**2386. Private supply pipes.]** Where any building, structure, or premises is located or situated remotely from any city water main and it is desired to introduce or have supplied water from the Chicago

water works system, the owner, occupant, or person in possession, charge, or control of such building, structure, or premises may be permitted to make connection with the city water main upon making application in writing therefor to the commissioner of public works; such application to state fully and truly the purpose for which such connections are desired and the use to which such water is to be put, in the same manner as the same is provided for in and by section 2381 of this chapter. Such connections shall be made only under the following conditions: each such private supply pipe and each service pipe or independent connecting pipe drawing water from such private supply pipe shall be equipped with a buffalo or shutoff box designed and formed and so located in place as to be satisfactory to, and meet the approval of the commissioner of, public works. Each such private supply pipe shall be controlled by a meter, and the meter shall be located at the main or as near thereto as is practicable. The meter shall be of a pattern and design and so located as to be satisfactory to and approved by the commissioner of public works. All cost and expense of laying such private pipes and making connections thereto and equipping same with buffalo or shutoff boxes and meters shall be borne by the person making application for permission to lay such private supply pipe and without cost of any kind whatsoever to the city.

**2387. Private supply pipe to be laid only by bonded plumber.]** No private supply pipe shall be laid or connection made thereto by any person other than a duly licensed or bonded plumber acting under authority of a permit issued for the laying of such private supply pipe or connection therewith or thereto as herein provided for.

**2388. Tampering with mains and pipes—penalty.]** It shall be unlawful for any person to interfere in any manner with any water main, service pipe, water meter, buffalo or shutoff box, or any water pipe connected with the city water works system or comprising a part of such system without permission therefor obtained from the department of public works. Any person violating any of the provisions of this section shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

**2389. Water shut off—turning on of water—penalty.]** Where the water supply to any building, structure, or premises shall have been cut off or stopped by or on account of the nonpayment of water rates or by or on account of the violation of any of the provisions of this chapter or for any other reason or cause whatsoever, where such cutting off or stopping shall have been done by the department of public works, the water shall not again be supplied to such building structure, or premises or permitted to be turned on or in thereto without a permit first issued for that purpose by the department of public works. If it shall be found by the department of public works that

the water supply has been turned on or into any such building, structure, or premises from which it has been cut off or stopped as aforesaid, in violation of the provisions of this chapter, the department of public works shall have the authority and it shall be the duty of the commissioner of public works to see to it, that the service or supply pipes by and through which water is supplied to such building, structure, or premises are cut off at the water mains or as near thereto as is practicable, and no water shall again be supplied to such building, structure, or premises or be permitted to be turned on, therein, or thereto until the person owning, occupying, or in possession, charge, or control of such building, structure, or premises shall have paid to the city the entire cost and expense of again turning on such water supply and shutting off such water supply and cutting or removing any service or supply pipes together with all arrearages or amounts due to the city on account of water supplied to such building, structure, or premises and until a further sum of ten dollars shall have been paid as liquidated damages for and on account of the unlawful and unauthorized turning on of such water supply to such premises. (Note: See Supplement.)

**2390. By whom penalty to be paid.]** The amounts hereinbefore provided for shall be paid by the person owning, occupying, or in possession, charge, or control of such building, structure or premises at the time it is desired to have the water turned on or supplied thereto, irrespective of whether such person shall have been the one guilty of violating the provisions of this chapter, such person being held responsible for any tampering with the buffalo or shutoff boxes on his premises or in his building or structure and also being held responsible for any unlawful or unauthorized turning on of the water into or upon his building, structure, or premises.

**2391. Service pipes, etc.—keeping in repair.]** Every person supplied with water from the Chicago water works system shall keep his own service pipe and any and all stop cocks, buffalo or shutoff boxes, and all apparatus pertaining to his service pipe in good repair and protected from frost, at his own expense, and shall also prevent all waste of water through hydrants or by reason of defective pipes or cocks. Where any check or waste cock shall be placed within the building line of any lot such check or waste cock shall be inclosed in a box not less than thirty-six inches square and so constructed and located as to be easy of access for examination by the members of the department of public works. If any check or waste cock, stop cock, shutoff cock, or other cock or valve located in any building, structure, or premises, shall be found to be in a leaky or defective condition so as to cause a waste of water, notice shall be given by the department of public works, in writing, to the owner, occupant, or person in possession, charge, or control of such building, structure, or premises

to stop such leak, and if such leak be not stopped and the cause thereof remedied so as to prevent a recurrence of such leak, within twenty-four hours after the service of such notice, the commissioner of public works may cause the water supply to be shut off from such building, structure, or premises until such leak is repaired and the waste of water thereby stopped. On premises connected with the city water mains where it shall be found that the service pipes or supply pipes through which the water is supplied to such premises are not provided with a buffalo or shutoff box, it shall be the duty of the commissioner of public works to give notice in writing to the owner, occupant, or person in possession, charge, or control of such premises to provide and place a buffalo or shutoff box for such service or supply pipe within thirty days from the date of service of such notice. If the person served with such notice shall neglect, fail, or refuse to equip such service or supply pipe with a buffalo or shutoff box when required so to do as aforesaid, the water supply may be cut off or stopped at the water main or as near thereto as is practicable and shall be kept cut off until a buffalo or shutoff box has been provided and until the cost and expense to the city of cutting off and turning on the water to such premises shall have been paid by such person. The service of the notices herein provided for may be either by personal service on the owner, occupant, or person in possession, charge, or control of the premises or by mailing such notice to such owner, occupant, or person in possession, charge, or control of such premises. (Note: See Supplement.)

**2392. Waste of water—remedy.]** If it shall be found that there is an unreasonable or unnecessary waste of water in any building, structure, or premises to which water is supplied from the Chicago water works system the commissioner of public works shall cause the water supply to be cut off from such building, structure, or premises unless such waste shall be stopped or shall cease within twenty-four hours after he shall have given notice to the owner, occupant, or person in possession, charge, or control of such building, structure, or premises to stop such waste. In cases where the water supply is cut off from any building, structure, or premises on account of a neglect, failure, or refusal of any person so notified to stop such leak, the water supply shall not again be turned on until the cost and expense to the city of cutting off and again turning on such water supply shall have been paid by such owner, occupant, or person in possession, charge, or control.

**2393. Cases in which water meters are required.]** Every building, structure, or premises in or on which seven hundred and fifty thousand gallons or more of water are used annually, or where the assessment under frontage rates and charges for extra fixtures shall aggregate seventy-five dollars per annum or more, shall have the

water supply to such building, structure, or premises controlled by meter. (Note: See Supplement.)

**2394. Failure to provide water meters—penalty.]** If the owner, occupant, or person in possession, charge, or control of any building, structure, or premises supplied with water from the Chicago water works system and required in and by the provisions of this chapter to have the water supply to such building, structure, or premises controlled by meter shall neglect, fail, or refuse to furnish and install a water meter for the purpose of controlling such water supply, within thirty days after having been notified or requested by the department of public works to control such water supply by meter, the commissioner shall cause the water supply to be cut off from such building, structure, or premises and shall keep such water supply cut off until a water meter has been provided and installed and until the cost of shutting off and turning on the water supply to such premises shall have been paid by such owner, occupant, or person. All water meters required to be installed under the provisions of this chapter shall be of a type, size and design satisfactory to and approved by the commissioner of public works and the installation of such water meters shall be made by the department of public works or in a manner satisfactory to and approved by said commissioner. The whole cost and expense of providing, installing, and locating any water meter required to be provided by the provisions of this chapter shall be borne by the owner, occupant, or person in possession, charge, or control of the building, structure, or premises the water supply of which is required to be controlled by meter. (Note: See Supplement.)

**2395. Premises not required to be under meter—size of taps and number of pipes.]** Every building, structure, or premises supplied with water from the Chicago water works system and not required by the provisions of this chapter to have the water supplied thereto controlled by meter shall have but one one-inch supply pipe with one three-fourths-inch tap for each twenty-five feet of frontage or major fraction thereof. (Note: See Supplement.)

**2396. Fountains—troughs—automatic cut-off on taps.]** No person shall erect, maintain, or operate any public drinking fountain or water trough unless such fountain or trough be furnished with an automatic cutoff so as to prevent waste of water. Every building, structure, or premises supplied with water from the Chicago water works system shall have all faucets in such building, structure, or premises provided with an automatic cutoff of such type and design as to entirely prevent any leakage or waste of water and to keep such faucets closed and prevent the water from running therefrom when not turned on or in actual use.

**2397. Obstructing access.]** No person shall in any manner obstruct or cause to be obstructed the free access of any officer or em-



ploye of the department of public works to any stop cock, water meter, elevator dial, buffalo or shutoff box, or connection with any water main or service pipe by means of any coal, lumber, brick, building material, or by any other means, shift, or device whatsoever, or refuse or prevent free access thereto by such officer or employe whenever such officer or employe shall desire access thereto.

**2398. Power of entry—penalty.]** The officers of the department of public works and any and every person delegated or authorized by the commissioner of public works for such purposes shall have free access to all and every part of any building, structure, or premises to which water is supplied from the Chicago water works system, for the purpose of examining the water pipes, taps, and fixtures therein or thereon, whenever such examination is deemed necessary or advisable in order to ascertain whether there is any unnecessary waste of water or whether the provisions of this chapter are being complied with. Any person in possession, charge, or control of any such building, structure, or premises into which any such officer or person shall desire to make entry or to have access for the purposes herein specified, who shall refuse to permit such entry or access or who shall do or cause to be done any act or thing for the purpose of preventing such entry or access, shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

**2399. Officers to enforce ordinance.]** The commissioner of public works, or any officers he may designate for that purpose, shall enforce the provisions of this chapter and for that purpose shall be qualified as police officers in accordance with the ordinances of the city.

**2400. Drinking fountains.]** The terms and conditions upon which public drinking fountains may be erected and maintained, and the rates to be charged for the water used in such fountains, shall be fixed by the city council.

No public drinking fountain shall be erected except upon express authority of the city council.

**2401. Rates for public drinking fountains now in existence.]** The water rates and charges to be levied and assessed for the use of water in public drinking fountains heretofore erected and now being operated and maintained, if the supply thereto be not under meter control, shall be in such amount as shall be fixed by the commissioner of public works, based upon an estimate to be made by him of the amount of water supplied to and used through such fountain.

**2402. Exemptions—charitable, religious, and educational institutions.]** The commissioner of public works shall remit and cancel all water rates and charges heretofore levied and assessed or which may hereafter be levied and assessed against such property of any charitable, religious, or educational institution in the city as is used in the immediate conduct and carrying on of the charitable, religious, or educational purposes of such institution and which is not used for

gain or profit or rented, conducted, maintained, or operated for the purpose of producing revenue for such institution.

The commissioner of public works may require every application for a remission or cancellation of such water rates and charges against any such institution to be verified by the affidavit of two or more taxpayers of the city.

Nothing herein contained shall be held to exempt from water rates and charges any building, structure, or premises or any part thereof occupied by any military organization; nor shall anything herein contained be held to exempt the Cook County Hospital or any other institution, building, structure, or premises owned or occupied by the county of Cook or used for its purposes, from the payment of water rates and charges for water supplied to it from the city water works system.

The commissioner of public works shall keep or cause to be kept accurate accounts against all institutions exempted from the payment of water rates and charges and shall cause semi-annual water bills to be rendered in accordance with such accounts on specially provided blanks, which, when certified by the assessor of the bureau of water after duly authorized inspection of the premises indicated in such bills, shall be canceled by the commissioner of public works, and a record of the amount so canceled shall be kept by the assessor in a book provided for that purpose. The accounts of the department of public works shall show the amounts so canceled as a credit to the total collections and as a debit to the institutions specified.

**2403. Sprinkling wagons—license.]** All wagons or carts used for the purpose of street sprinkling within the city shall be charged for license, each the sum of five dollars per annum, which sum shall be in addition to the sum charged for permission to use the water from the city hydrants for such vehicle; Provided, however, that before issuing such license the commissioner of public works shall prescribe the kind of vehicle to be used, specifying particularly the capacity of the tank, the number and size of the holes in the sprinkler, and the distance of the same from the ground, and also such general regulations as he may deem necessary concerning the use of such vehicles on the public streets and the use by them of city hydrants; for the due observance of which he may require from the person taking such license a good and sufficient bond in an amount and with sureties to be approved by him.

**2404. Free water for skating rinks.]** The mayor is duly authorized and empowered, from time to time, as he in his discretion may see fit, to permit the use of water from the city hydrants, free of charge, for the purpose of flooding vacant property, subject to the consent of the owner or owners of such property, where it may be desired to use such property when so flooded for the purpose of skating;

Provided that no charge shall be made to any person for the privilege of skating on property so flooded.

**2405. Premises to include part of lot, etc.]** The word "premises" wherever used in this chapter shall be held to include a lot or a part of a lot, a building or a part of a building, or any parcel or tract of land whatever.

**2406. General penalty.]** Any person who shall violate any of the provisions of this chapter or any rule or regulation governing or concerning the use of water supplied through the Chicago water works system which shall have been adopted and approved by the city council, shall be fined not less than five dollars nor more than one hundred dollars for each offense, and the cutting off of the water supply to any premises or the forfeiture of water rates paid or the imposition of any liability or expense herein otherwise provided by or on account of any violation of any of the provisions of this chapter shall not be held to exempt any such person from the penalty herein provided.

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## ARTICLE II.

### WATER RATES.

**2407.** The minimum amount to be charged for water supplied to each and every building, structure, or premises fronting on any street, avenue, or other public way, in or to which such building, structure, or premises any water supply pipe connected with any city water main or supply pipe is laid, shall be the amounts specified hereinafter as frontage rates.

For the use of water for special purposes there shall be charged in addition to the frontage rates such rates as are hereinafter set out; Provided, however, that when the supply of water to any building, structure, or premises is controlled by meter, such building, structure, or premises shall be assessed and charged for the water used therein, by meter measurement, irrespective of the number and character of the fixtures in such building, structure, or premises, or of the special or particular use or uses for which the water supply thereto may be used.

All buildings, structures, or premises used exclusively as private residences or houses and not occupied by more than one family shall be entitled to the use of a full or partial equipment of so-called sanitary fixtures, such as bath tubs, water closets, wash hand basins, sinks, laundry tubs, etc., without any extra or additional charge therefor in addition to the frontage rates hereinafter scheduled. Any building, structure, or premises used and occupied solely for flats

or apartments shall be entitled to have one flat or apartment in such building, structure, or premises equipped with a full or partial set of so-called sanitary fixtures, such as bath tubs, water closets, wash hand basins, sinks, laundry tubs, etc., without any extra or additional charge therefor in addition to the frontage rates hereinafter scheduled.

Flat and apartment buildings having in each flat or apartment a full or partial set of so-called sanitary fixtures, such as bath tubs, water closets, wash hand basins, sinks, laundry tubs, etc., shall be charged in addition to the frontage rates as hereinafter fixed, for each flat or apartment therein in excess of one, occupied by not more than one family of not exceeding twelve persons, seven dollars per annum.

Flat or apartment buildings or family hotels not containing bath tubs, water closets, urinals, or wash hand basins in each flat or apartment, shall be charged in addition to the frontage rates assessed against such building, structure, or premises, for each flat or apartment in excess of two, occupied by one family of not exceeding twelve persons, three dollars per annum.

#### SCHEDULE OF FRONTAGE RATES.

FRONT WIDTH OF BUILDINGS.	FRONTAGE RATES PER ANNUM—STORIES IN HEIGHT OF BUILDING.					
	One.	Two.	Three.	Four.	Five.	Six.
Twelve feet and less.....	\$2 50	\$ 4 00	\$ 5 50	\$ 7 00	\$ 8 50	\$ 10 00
Over 12 to 15 feet.....	3 50	5 00	6 50	8 00	9 50	11 00
Over 15 to 18 feet.....	4 50	6 00	7 50	9 00	10 50	12 00
Over 18 to 21 feet.....	5 50	7 00	8 50	10 00	11 50	13 00
Over 21 to 24 feet.....	6 00	7 50	9 00	10 50	12 00	13 50
Over 24 to 27 feet.....	7 00	8 50	10 00	11 50	13 00	14 50
Over 27 to 30 feet.....	8 00	9 50	11 00	12 50	14 00	15 50
Over 30 to 33 feet.....	9 00	10 50	12 00	13 50	15 00	16 50
Over 33 to 36 feet.....	9 50	11 00	12 50	14 00	15 50	17 00
Over 36 to 40 feet.....	11 00	12 50	14 00	15 50	17 00	18 50
Over 40 to 44 feet.....	11 50	13 00	14 50	16 00	17 50	19 00
Over 44 to 48 feet.....	12 50	14 00	15 50	17 00	18 50	20 00
Over 48 to 52 feet.....	13 50	15 00	16 50	18 00	19 50	21 00
Over 52 to 56 feet.....	14 50	16 00	17 50	19 00	20 50	22 00
Over 56 to 62 feet.....	15 50	17 00	18 50	20 00	21 50	23 00
Over 62 to 67 feet.....	16 00	17 50	19 00	20 50	22 00	23 50
Over 67 to 72 feet.....	17 00	18 50	20 00	21 50	23 00	24 50
Over 72 to 77 feet.....	18 00	19 50	21 00	22 50	24 00	25 50
Over 77 to 82 feet.....	19 00	20 50	22 00	23 50	25 00	26 50
Over 82 to 87 feet.....	20 00	21 50	23 00	24 50	26 00	27 50

Larger buildings in proportion.

All basements containing two or more furnished rooms, not including laundry room, shall be deemed and estimated as additional

stories. All basements or attics used for business purposes shall be deemed and estimated as additional stories. All attics containing two or more finished rooms shall be deemed and estimated as additional stories.

Independent vacant lots not exceeding twenty-five feet of frontage supplied with water through not more than one service pipe and having not more than one opening in such service pipe shall be assessed three dollars per annum for such supply, unless there is a special or unusual use made of the water supplied through such pipe; in which case the water supply to such lot shall be controlled by meter or the charge to be made for the use of such water determined by the commissioner of public works, based upon an estimate of the amount of water used through such pipe. Any additional water fixtures installed in any such lot shall be charged for at the same rates as are fixed or specified in this chapter for like fixtures; but if no such rates are fixed or specified then the commissioner of public works shall determine the amount to be paid for such fixtures, based upon an estimate of the amount of water supplied through same.

A family as described in this chapter may consist of any number of persons not to exceed twelve, including children, employes, and servants. For each and every person in excess of twelve occupying any private residence, house, flat, or apartment, there shall be charged fifty cents per annum.

## CLASS I

### PRIVATE RESIDENCE OR HOUSE RATES.

2408. In addition to the above schedule of frontage rates there shall be charged and assessed for special water fixtures in addition to the so-called sanitary fixtures in such residences or houses the following amounts per annum:

For steam heating plant per ton of coal consumed . . . . .	\$ .05
For greenhouses attached to private residences or houses, not exceeding one hundred square feet superficial area, inside measurement, each . . . . .	2.00
For each additional one hundred square feet or major fraction thereof, superficial area of such greenhouse, inside measurement . . . . .	2.00
For each hose bib or connection used for attaching hose thereto for sprinkling, washing windows, walks, and other like purposes, for each lot having a frontage of thirty feet or less . . . . .	2.00
For same where lot has a frontage of thirty to fifty feet..	3.00
For each additional twenty-five feet of frontage or major fraction thereof . . . . .	.50

Hose shall not be used for sprinkling, washing windows, walks, or other like purposes except between the hours of five and seven o'clock a. m. and six and ten o'clock p. m. (irrespective of whether the water supply is controlled by meter or not); nor shall water be used through hose for the benefit of adjacent lots unless such water supply is controlled by meter.

Outbuildings, rear buildings, or buildings on alleys shall be exempt from frontage rates when located in the rear of buildings assessed and charged for frontage rates; but such buildings shall not be considered as rear buildings when fronting on any street, and for such buildings where used solely for residence purposes the water fixtures installed therein shall be charged for at the following rates per annum:

For bath tubs .....	\$3.00
For water closets .....	3.00
For wash hand basins and sinks .....	1.00

For such buildings if used for any business purpose or purposes other than that of private residence or flats the rates to be charged for water supplied to such building whether supplied directly through a pipe from the main or otherwise, shall be in accordance with the rates fixed in this chapter for the particular business engaged in, in such building or use of water made therein. If such buildings are not supplied or equipped with water fixtures and are not supplied directly or indirectly with water no charge shall be made on account of such building unless it is occupied for lodging or living purposes by more than two persons; in which case there shall be charged for each person in excess of two, fifty cents per annum.

## CLASS II.

### BOARDING AND ROOMING HOUSE RATES.

**2409.** In addition to frontage rates:

Boarding houses or rooming houses occupied by not more than twelve persons and in which no lodgings, meals, or other accommodations are provided for any person or persons in excess of such twelve persons, shall be assessed and charged for water used therein at the same rates assessed and charged against private residences occupied by families of not to exceed twelve, and shall be allowed a full set of so-called sanitary fixtures, such as bath tub, water closet, wash hand basin, kitchen sink, and laundry tub, without any additional charge over and above the frontage rates.

For each and every person, whether a boarder who is provided with meals only, or with lodgings only, or with both, in excess of twelve, there shall be charged fifty cents per annum.

For special or additional water fixtures there shall be assessed and charged the following rates per annum:

For bath tubs each .....	\$3.00
For water closets each .....	3.00
For wash hand basins with faucets each .....	1.00
For laundry tubs each .....	1.50
For sinks with faucets each .....	1.00
For urinals each .....	1.00
Where hose is used for sprinkling, washing windows, etc...	2.00

For other special water fixtures installed in any such building, structure, or premises used as a boarding or rooming house or for any special or unusual use of water made therein such charge shall be made as may be prescribed elsewhere in this chapter for similar fixtures or use of water. If no such charge be fixed herein the commissioner of public works shall determine the amount to be charged for such special fixtures and for such use of water, such charge to be based upon an estimate of the amount of water used.

### CLASS III.

#### HOTEL, LODGING HOUSE, AND TAVERN RATES.

**2410.** In addition to frontage rates:

Hotels, lodging houses, and taverns having not to exceed twelve rooms shall be allowed without extra charge over and above the frontage rates as above scheduled, one kitchen sink with faucets, one water closet, one bath tub, one laundry tub, and one wash hand basin.

For each additional room in excess of twelve in any such hotel, lodging house, or tavern, a charge shall be made of one dollar per annum.

For special or additional water fixtures there shall be assessed and charged the following rates per annum:

For bath tubs each .....	\$3.00
For sinks with faucets each .....	1.00
For wash hand basins with faucets each .....	1.00
For steam engines, per horse power each .....	4.00
For water closets each .....	3.00
For urinals each .....	1.50
For stationary laundry tubs each .....	2.00
For steam heating, per ton of coal consumed .....	.05
Where hose is used for sprinkling, washing windows, etc..	2.00

If any of the above described fixtures are open to general or public use by persons other than those registered or known as guests, lodgers,

or roomers in any such hotel, lodging house, or tavern, such fixtures so used shall be assessed and charged for at the rates fixed in Class VIII. of this chapter.

For other special water fixtures installed in any such building, structure, or premises used as a hotel, lodging house, or tavern or for any special or unusual use of water made therein such charge shall be made as may be prescribed elsewhere in this chapter for similar fixtures or use of water. If no such charge be fixed herein the commissioner of public works shall determine the amount to be charged for such special fixtures and for such use of water, such charge to be based upon an estimate of the amount of water used.

## CLASS IV.

### BLOCK OR OFFICE BUILDING RATES.

**2411.** In addition to the frontage rates:

Any building, structure, or premises coming within this classification for each room in excess of twelve rooms shall be assessed and charged one dollar per annum.

If any room or suite of rooms in any such building or block shall be occupied for residence purposes solely by a family of not to exceed twelve persons the water fixtures in such room or suite of rooms so occupied shall be assessed and charged for at private residence rates, and such room or rooms so occupied shall not be counted as additional rooms.

For special or additional water fixtures there shall be assessed and charged the following rates per annum:

For steam engines, per horse power each .....	\$4.00
For bath tubs each .....	3.00
For wash hand basins each .....	1.00
For water closets each .....	3.00
For urinals each .....	1.50
For steam heating, per ton of coal consumed .....	.05
Where hose is used for sprinkling, washing windows, etc...	2.00

If any of the above described fixtures are open to general or public use by persons other than those occupying such building or block for office or dwelling purposes, such fixtures so used shall be assessed and charged for at the rates fixed in Class VIII. of this chapter.

For other special water fixtures installed in any such building, structure, or premises used as a block or office building, or for any special or unusual use of water made therein such charge shall be made as may be prescribed elsewhere in this chapter for similar fixtures or use of water. If no such charge be fixed herein the com-



missioner of public works shall determine the amount to be charged for such special fixtures and for such use of water, such charge to be based upon an estimate of the amount of water used.

## CLASS V.

### STORES AND BUSINESS PREMISES RATES.

**2412.** Each building or part thereof occupied as a store, show-room, bank, theatre, warehouse, factory, or shop, where not to exceed ten persons are employed (including herein employer and employee) shall be assessed and charged in addition to the frontage rates as above scheduled, twenty-five cents per annum for each additional person employed in such building in excess of ten.

If any room or suite of rooms or portion of any such building coming within this classification shall be occupied solely for residence purposes by a family of not to exceed twelve persons such room or suite of rooms or portion of such building so occupied shall be assessed and charged for the water used therein at the same rates assessed and charged for private residences, and the persons composing such family shall not be deemed additional persons in such building.

If such building does not exceed one story in height, where any business is conducted therein which is not specially classified and provided for by fixed charges elsewhere in this chapter, there shall be no charge made in addition to the frontage rates for one water closet and such building shall be allowed one sink with faucets for the sum of two dollars and fifty cents per annum.

For special or additional water fixtures there shall be assessed and charged the following rates per annum:

For wash hand basins or sinks with faucets each .....	\$2.50
For water closets each .....	3.50
For urinals each .....	1.50
For steam engines, per horse power each .....	4.00
For steam heating, per ton of coal consumed .....	.05
Where hose is used for sprinkling, washing windows, etc. . .	2.00

If any of the above described fixtures are open to general or public use by persons other than those occupying such building or part thereof as a store, showroom, bank, theatre, warehouse, factory, or shop, the fixtures so used shall be assessed and charged for at the rates fixed in Class VIII. of this chapter.

For other special fixtures installed in any such building, structure, or premises used as a store or business premises or for any special or unusual use of water made therein such charge shall be made as may be prescribed elsewhere in this chapter for similar fixtures or use of water. If no such charge be fixed herein the commissioner of public

works shall determine the amount to be charged for such special fixtures and for such use of water, such charge to be based upon an estimate of the amount of water used.

## CLASS VI.

### SALOON AND DRAMSHOP RATES.

2413. In addition to frontage rates:

There shall be assessed and charged for saloons and dramshops the following rates per annum for general and special water fixtures:

For use of bar with not to exceed two faucets .....	\$3.00
For each additional faucet .....	1.00
For water closets each .....	3.50
For wash hand basins each .....	2.50
For urinals each .....	1.50
For hydraulic pumps each .....	3.00
Where hose is used for sprinkling, washing windows, etc..	2.00
For horse watering troughs provided with automatic cutoff and in use not to exceed eight months in each year, no charge shall be made.	
For horse watering troughs not provided with automatic cutoff each .....	5.00

### ICECREAM SALOON OR PARLOR RATES.

Where premises are occupied for an icecream saloon or parlor and are supplied with water an annual charge shall be made for each table accommodating not to exceed six persons, of fifty cents; for larger tables proportionate rates. Such rates and charges shall entitle such premises to the use of one water closet, one wash hand basin with faucets and one sink with faucets without extra charge.

### RESTAURANTS, EATING HOUSES, CLUB ROOMS, ETC.

Where premises are occupied for restaurant, eating house or club room purposes, and are supplied with water and are not equipped with bars at or over which intoxicating liquor of any kind is sold, an annual charge shall be made for each table accommodating not to exceed six persons, of one dollar; for larger tables proportionate rates. Such rates and charges shall entitle such premises to the use of one wash hand basin with faucets, one water closet and one sink with faucets, without extra charge.

If any such premises so occupied are equipped with a bar or other similar fixture at or over which intoxicating liquor of any kind is sold such premises shall be considered as a dramshop and shall be

charged for all water fixtures therein the same rates as are herein provided for saloons or dramshops.

**BILLIARD ROOMS, BOWLING ALLEYS, SHOOTING GALLERIES, AND SIMILAR ESTABLISHMENTS.**

In addition to the frontage rates:

There shall be assessed and charged for billiard rooms, bowling alleys, shooting galleries, and similar establishments the following rates for special water fixtures per annum:

For each water faucet .....	\$3.00
For water closets each .....	3.50
For urinals each .....	1.50
For wash hand basins each .....	2.50

**SODA WATER FOUNTAINS.**

For each water faucet operated in connection with a soda water fountain there shall be assessed and charged per annum the sum of three dollars; for each additional faucet one dollar.

For other special water fixtures installed in any building, structure, or premises used for any of the purposes embraced in class VI., or for any special or unusual use of water made therein such charge shall be made as may be prescribed elsewhere in this chapter for similar fixtures or use of water. If no such charge be fixed herein the commissioner of public works shall determine the amount to be charged for such special fixtures and for such use of water, such charge to be based upon an estimate of the amount of water used.

**CLASS VII.**

**STABLE RATES.**

**2414.** Water supplied to premises used as a livery, sale, or boarding stable, or for any other stabling purposes where more than six horses are stabled other than that of a stable attached to and belonging to a private residence, shall be controlled by meter. If the water supplied to such premises be not controlled by meter, until water meters are placed therein, such premises shall be assessed and charged at frontage rates as hereinbefore scheduled together with the rates and charges fixed for private stables as follows per annum:

For each stall .....	\$2.00
If such stable be not equipped with stalls the stabling capacity of such stable shall be estimated and a charge made on the basis of each horse, mule, or other animal for which there are stabling facilities therein, per annum of .....	2.00

For each horse, mule, or other animal stabled therein the person owning, controlling, or operating such stable shall be allowed the use of water to wash one vehicle without any additional or extra charge therefor.

For each additional vehicle a charge shall be made per annum of ..... \$1.50

#### TRUCK AND CART STABLES.

Water supplied to premises used as truck or cart stables shall be assessed and charged for at the following rates per annum:

For the average number of horses, mules, or other animals stabled therein, each ..... \$1.00  
 For hose used for stable purposes only ..... 3.00

If any building used as a private stable shall front on any street it shall be assessed and charged at frontage rates as hereinabove scheduled, in addition to the charges made for the number of stalls, washing of vehicles, etc.

Where any such building used as a stable fronts on an alley and is located in the rear of other buildings against which frontage rates are charged and assessed such building occupied as a stable and fronting on an alley shall be exempt from frontage rates but shall be assessed and charged for the number of stalls, stabling capacity, and washing of vehicles at the rates herein fixed, whether water is supplied directly to such building by service pipe or otherwise.

If any portion of any building used for stabling purposes shall be occupied solely for residence purposes by a family of not to exceed twelve persons the portion so occupied for residence purposes shall be assessed and charged for water used therein at private residence rates.

For any special or unusual use of water made in any stable such charge shall be made as may be prescribed elsewhere in this chapter for similar use of water. If no such charge be fixed herein the commissioner of public works shall determine the amount to be charged for such use of water, such charge to be based upon an estimate of the amount of water used.

### CLASS VIII.

#### RATES FOR PUBLIC WATER FIXTURES.

**2415.** In addition to frontage rates:

Bath tubs, each per annum .....	\$6.00
Wash hand basins, each, per annum .....	2.50
Water closets, each, per annum .....	3.50
Urinals, each, per annum .....	1.50
Fixed laundry tubs, each per annum .....	1.75

## BARBER SHOPS.

In addition to frontage rates:

Bath tubs, each per annum .....	\$6.00
Wash hand basins, each, per annum .....	2.50
Water closets, each, per annum .....	3.50
Urinals, each, per annum .....	1.50
Fixed laundry tubs, each per annum .....	1.75

## CLASS IX.

## 2416.

## FOUNTAIN RATES.

Each jet not to exceed 1/16 of an inch, per annum .....	\$ 5.00
Each jet, between 1/16 and 1/8 of an inch, per annum....	20.00
Each jet, between 1/8 and 1/4 of an inch, per annum....	50.00
Vegetable fountains, per annum .....	5.00
Automatic lawn sprinklers, per annum .....	1.00
Aquarium, with water connection, and of a capacity not to exceed ten cubic feet of water, per annum .....	2.00
For each additional ten cubic feet or major fraction thereof, per annum .....	2.00

The above named fixtures, except aquariums, shall not be used to exceed four months during the year, not to exceed an average of four hours per day for such period.

No fountain shall be permitted on any premises where the water is not taken for other purposes, and to an extent sufficient for such other purposes; and if the water from the jet or fountain shall be allowed to flow into premises adjacent to, or in the neighborhood of, such fountain where it may be used for other purposes, the supply shall be stopped and the amount of payment forfeited.

## CLASS X.

## MISCELLANEOUS RATES.

2417. In addition to frontage rates:

There shall be assessed and charged the following rates per annum:

For bakeries, per barrel of flour or meal used, each .....	\$ .01
For building purposes, for each 1,000 bricks used .....	.05
For building purposes, for each cord of stone used .....	.06
For building purposes, for each cubic yard of concrete used .....	.02
For building purposes, for each 100 square yards of plastering .....	.15
For bolt machines, each .....	2.00

For bottling establishments, not under meter measurement, each . . . . .	10.00
For chemical laboratories not under meter measurement, each . . . . .	12.00
For cigar factories not under meter measurement, each . . .	10.00
For cooperage factories not under meter measurement, each	10.00
Convents shall be assessed at private residence rates.	
For fish stalls, each . . . . .	1.50
For fish packing establishments not under meter measurement . . . . .	100.00
For foundries the same rates as prescribed in Class V.	
For foundries, use of each hose . . . . .	4.00
For forges, blacksmith, use of each hose . . . . .	1.50
For forges with power hammers, use of each hose . . . . .	5.00
For gang saws in stone yards not under meter measurement, each . . . . .	50.00
For gardens, flower or vegetable or both, where hose is used for sprinkling, for each 1,000 square feet . . . . .	3.00
For hydraulic or gas motors for elevators, each . . . . .	12.00
For hospitals (private) the same as private residence rates.	
For milk depots and dairies, where not to exceed sixteen gallons of milk is received daily, each . . . . .	3.00
For milk depots and dairies, for each additional eight gallons of milk or major part thereof . . . . .	1.00
For medical colleges the same rates as prescribed in Class V.	
For photograph galleries not under meter measurement, each . . . . .	10.00
For public laundry tubs, each . . . . .	3.00
For public halls, for each water closet contained therein..	5.00
For public halls, for each urinal or wash hand basin....	1.00
For schools (boarding) boarding house rates.	
For silver plating establishments not under meter measurement, each . . . . .	10.00
For steam engines in operation not to exceed ten hours per day, per horse power each . . . . .	4.00
For steam engines in operation more than ten hours per day a proportionate amount per horse power.	
For steam heating apparatus, for each ton of coal consumed	.05
For street sprinkling wagons, per month, each, where capacity does not exceed 800 gallons: larger wagons a proportionately increased rate . . . . .	25.00
For tobacco factories not under meter each . . . . .	6.00
For telegraph and telephone battery rooms not under meter measurement each . . . . .	10.00

For urinal troughs having not to exceed three jets each...	3.00
For urinal troughs, for each jet exceeding three .....	1.00

The rates hereinabove fixed are in addition to the rates and charges prescribed for fixtures used in any building, structure, or premises occupied by any business or for any purpose as described in any of the above named classes.

Where water is used in any building, structure, or premises for any purpose not hereinabove specifically described or through fixtures or devices for which no rate or charge has been fixed the commissioner of public works shall prescribe the rates and charges to be assessed for the water so used, such charge to be based upon an estimate to be made by him of the amount of water used in such building, structure, or premises for any such purpose or through any such fixture not hereinabove described or provided for.

All faucets and valves which shall hereafter be connected with any plumbing attached to the city water works system shall be what are known as "self closing, automatic, or spring faucets", except on bath and laundry tubs or where the water supply is controlled by meter. If the commissioner of public works shall find that this regulation is not complied with he shall have the authority and it shall be his duty to withhold permission to turn on the water supply, or if the water supply shall be found turned on he shall have the authority and it shall be his duty to cause same to be turned off, and he shall not permit it to be again turned on until this provision has been complied with.

**2418. Cement sidewalks—rates.]** The tariff of water rates for contractors and others requiring water from the city supply for constructing cement sidewalks, or other walks in which concrete is used, shall be at the rate of nine mills per each square yard of superficial measurement of concrete laid, and applications for permit for use of water shall be made and paid for as in case of other purposes incident to public or private work of improvement. Provided, however, that this shall not apply to sidewalks laid under special assessment proceedings.

**2419. Deposit.]** Before a permit shall be issued for such use of water the contractor or person applying for same shall deposit with the commissioner of public works the sum of fifty dollars as a payment on account of such water rates, in advance, and shall, on or before the fifth day of each month thereafter, file with said commissioner of public works a statement, verified by affidavit, of the number of square yards of such walk, together with the location of the same laid by him during the then preceding calendar month, and the amount found due for such, and the water rates accrued, as estimated upon such statement, shall be charged against said deposit; and whenever said commissioner of public works shall deem it advisable to

have an additional deposit, he shall require of such contractor, or other person, an additional deposit of fifty dollars to be applied as aforesaid; and whenever such contractor or other person shall discontinue such business of laying walks said commissioner of public works shall account with him for the sum or sums so deposited and the water rates, accrued as aforesaid, and shall pay him any balance of such deposit found due.

## CLASS XI.

### METER MEASUREMENT RATES.

2420. Water service pipes, where part of building is under meter control.] In no case shall the commissioner of public works permit any building, structure, or premises or any portion of any building, structure, or premises the water supply of which is controlled by meter, to have any pipe connected with the water works system entering such building, structure, or premises or any part thereof so controlled by meter, which is not connected with the meter or the water supply through which is not controlled by meter: Provided, however, that if in any building, structure, or premises there are several different occupants or different business enterprises each such occupant or each such separate business enterprise may have the water supplied to him or it measured by a separate meter, which shall be subordinate to the main meter or the meter which controls the supply to such building, structure, or premises. In such case the readings of such subordinate meters shall be taken by the department of public works, and such meters shall be installed and maintained under the same conditions and provisions as are provided in this ordinance for the installation of water meters. The amount of water registered by each such subordinate meter shall be deducted from the amount registered by the main meter, and the person or corporation to whom water is supplied through such main meter shall be entitled to have deducted from his rates and charges all rates and charges for water supplied to any other occupant or business enterprise through such subordinate meters. Provided, further, that any part of a building, structure, or premises used for lodging house purposes where the per diem maximum rate does not exceed twenty-five cents per person and in which baths are given free or at a charge of not to exceed five cents, the water supply need not be supplied through a water meter but shall be assessed only at regular frontage rates and the usual and current rates shall be charged for extra fixtures, but no charge shall be made for extra persons and extra rooms. Each washstand in any such lodging house shall be equipped with selfclosing faucets.

The provisions of this proviso as to lodging houses shall apply only



to that portion of any building, structure, or premises which is used directly for lodging house purposes, and shall not be held to apply to any other enterprise or any other room or part of any building, structure, or premises not used for such purposes.

(Note: See Supplement.)

**2421. Minimum charge where water supplied is under meter control.]** Where the water supply to any building, structure, or premises is under meter control, the minimum charge for water supplied to such building, structure, or premises shall in no case be less than the amount of frontage rates which would be assessed or charged against such building, structure, or premises were such water supply not under meter control. Such frontage rates, however, shall not be held to include any charge for fixtures in any such building, structure, or premises. Where any such building, structure, or premises the water supply of which is controlled by meter shall have its water supply shut off on account of vacancy or for any other reason, at the request of the owner, occupant, or person in possession, charge, or control of such building, structure, or premises, during the time such water supply is shut off a minimum charge shall be made against such building, structure, or premises equal to fifty per cent of the frontage rates (exclusive of any fixture charges) which would properly be chargeable against such building, structure, or premises were the water supply thereto not under meter control. In such cases there shall be no charge made by the department of public works for the shutting off or turning on of water.

**2422. Several meters on one premises — readings to be grouped.]** Where the water supply to any one business enterprise or to any building, structure, or premises used or operated by one person or corporation or by a single business enterprise is controlled by two or more water meters, the aggregate readings of such meters shall be taken and the charge made for water supplied through same shall be at the same rate as if such water supply had been supplied through one meter.

**2423. Meters to be installed at expense of consumer—repairs to be paid for by city.]** All meters installed in any building, structure, or premises shall be of a design, type, and size to be approved by the commissioner of public works. Such meter shall be supplied and installed by the department of public works at the expense of the consumer or person owning or in possession, charge, or control of the building, structure, or premises in which such meter is installed. After installation such meter shall be under the sole control of the department of public works and the expense of any replacement thereof or repairs thereto shall be borne by the city without further cost to the consumer or person owning or in possession, charge, or control of such premises. (Note: See Supplement.)

**2424. Location of meter—free entry to premises, etc.]** Water me-

ters shall be located at such place, within or without the premises, and in such manner as the commissioner of public works shall direct. Boxes or vaults in which meters are to be placed shall be made in accordance with specifications to be prescribed by the commissioner of public works. If any water meter is installed or located within any building, structure, or premises the owner or person in possession, charge or control thereof shall at all times permit the commissioner of public works or any duly authorized officer or employe of the department of public works free entry, for the purpose of examining, testing, reading, or repairing such meter; and in the event that such owner or person in possession, charge, or control of such premises shall refuse or fail to permit such entry or shall in any way obstruct or cause to be obstructed such entry the water supply to such premises shall forthwith be cut off.

**2425. Tampering with meter—water supply to be cut off—penalty.]** No person other than a duly authorized officer or employe of the department of public works shall be permitted to examine, read, repair, or in any way interfere with any water meter installed in any building, structure, or premises for the control of the water supplied thereto; and any person not so authorized who shall tamper or interfere with any such water meter shall be fined not less than five dollars nor more than one hundred dollars for each offense; and if it shall be found that such water meter is being tampered with or interfered with by any unauthorized person the owner of the building, structure, or premises in which such meter is installed or located or the person in possession, charge, or control thereof shall be held responsible for such unauthorized tampering and interference and the water supply to such building, structure, or premises shall be cut off, and such water supply so cut off shall not again be turned on until such owner or person shall have paid to the department of public works for the use of the city the cost and expense of cutting off and turning on such water supply and the further sum of ten dollars as liquidated damages for and on account of such unauthorized tampering or interference.

**2426. By-passes—separate meters.]** Water pipes entering large premises and used for fire protection and known as "by-passes", whether connected with automatic sprinkling devices or otherwise, shall be supplied with a separate, independent meter to control and register the amount of water flowing through such pipe. Such meter shall be of a type, design, and size to be approved by the commissioner of public works and so constructed as to permit, in case of necessity, an uninterrupted flow of water. The amount charged for water flowing through any such meter if used for extinguishing fire shall be decreased from the books on proper showing of such fact.

**2427. Failure of meter to register—amount estimated.]** If at any time a water meter shall fail to register the quantity of water used or flowing through same, the quantity used or flowing through such meter shall be determined by making an average of the twelve readings last preceding the discovery of the defect in such water meter, and a charge shall be made for the period during which such meter failed to register or during which such defect existed, based upon such average, unless it shall be made to appear by evidence satisfactory to the commissioner of public works that the conditions during such period were materially different from those which existed during the period covered by the last preceding twelve readings. In case it shall appear that the conditions were such during the period of such failure or defect that a greater amount of water was used than would have been used if no change in conditions had taken place or that a lesser amount of water was used during such period on account of changed conditions, the commissioner of public works shall make a charge for the water used during such period, based upon the amount of water estimated to be used during such period as shown by the evidence submitted to him.

**2428. Excessive use of water—test meter.]** If the commissioner of public works believes or has reason to believe that in any building, structure, or premises there is an excessive use of or waste of water over and above that permitted or allowed to be used in such building, structure, or premises under the particular class or rating in which such premises is placed, or that a greater amount of water than seven hundred and fifty thousand gallons of water per annum is used therein, the commissioner may install or cause to be installed a meter for the purpose of ascertaining or testing the amount supplied to or used in such building, structure, or premises; and if it shall be found that the amount of water supplied thereto or used therein is in excess of that permitted or allowed by the provisions of this chapter to such building, structure, or premises, or that there is an excessive use or waste of water therein, or that more than seven hundred and fifty thousand gallons of water per annum is supplied to or used therein, the owner or person in possession, charge, or control of such building, structure, or premises shall be required to pay for the excess of water used in such premises, such amount as shall be estimated by the commissioner of public works to be due the city and which would have become due the city if such water supply had been controlled by meter during the period of time such excessive use or waste of water continued, and thereafter the water supply to such building, structure, or premises shall be under meter control.

(Note: See Supplement.)

**2429. Rates.]** The rate or charge for water supplied to any

building, structure, or premises the water supply to which is measured and registered by meter shall be, per thousand gallons:

For each 1,000 gallons up to and not to exceed 165,000 gallons per month .....	\$ .10
For each additional 1,000 gallons in excess of 165,000 gallons up to and including a total of 5,000,000 gallons per month .....	.08
For each additional 1,000 gallons in excess of 5,000,000 gallons up to and including a total of 10,000,000 gallons per month .....	.06
For each additional 1,000 gallons in excess of 10,000,000 gallons per month .....	.04

**2430. Water used in improvements.]** Gas companies, contractors, and other persons or corporations requiring water from the city for use in puddling trenches, ditches, or for other purposes incident to public or private work or improvement or otherwise (except for cement sidewalks and work done under special assessment proceedings) shall make application to the commissioner of public works for permission to use water for such purposes, stating in such application the name of the applicant, and if such applicant be a person, his place of business and residence and if a corporation, the name and residence of its principal officers together with its place of business. Such application shall also set forth the particular use or uses to which the water so desired is to be put, and if it shall appear to said commissioner that the use of water as desired is necessary and will not create a shortage so as to deprive regular consumers of water of the usual supply of water said commissioner shall issue a permit in writing authorizing the use of water by such applicant upon such conditions and under such restrictions as said commissioner shall impose; such restrictions and conditions to be fixed according to the circumstances existing in each case. The supply of water to be used by any such applicant shall be paid for in accordance with the rates prescribed in section 2431 to be charged for water used for temporary purposes, and the commissioner shall be the judge of the amount of water used and his estimate of such amount shall be final.

**2431. Temporary use of water—rates.]** Where water is used for temporary purposes or for purposes not herein otherwise specified the quantity of water so used or to be used shall be estimated by the commissioner of public works and shall be charged for at the following rates:

For quantities of less than 5,000 gallons per day, per hundred gallons .....	\$ .03
For quantities of 5,000 gallons up to and including 10,000 gallons per day, per hundred gallons .....	.02

The amount to be charged for the use of water for such temporary or other purposes, when the quantity of water used or to be used shall have been estimated by the commissioner, shall be paid in advance to the department of public works by the person or corporation desiring to use such water, at the rates herein fixed for such use. If it shall be found that any person or corporation securing permission to use water for such temporary or other purposes shall have used a greater quantity than the amount paid entitles him or it to use at the rates herein fixed said commissioner shall collect or cause to be collected an additional sum sufficient to cover the cost of such excess quantity of water so used, charging for such water the sum of \$.02 per hundred gallons for each hundred gallons or major fraction thereof used by such person or corporation in excess of 10,000 gallons per day.

(Note: See Supplement.)

**2432. Leakage.]** No deduction shall be made or rebate allowed to any consumer of water under meter control by or on account of any leakage or alleged leakage in any water pipe, tank, or other apparatus or device. The amount of water registered by any meter controlling the water supply to any building, structure, or premises shall be charged and paid for in full, irrespective of whether such water after having been registered was lost by leakage, accident, or otherwise.

**2433. Bills to be made out monthly.]** Where water is delivered through a meter the bills therefor shall be presented monthly, and if remaining unpaid for thirty days after presentation the water supply shall be shut off forthwith and shall be kept shut off until such bill shall have been paid together with the charge for shutting off and turning on such water. If the water shall be found turned on to such premises without such amounts having been paid and without permission from the commissioner of public works the same proceedings shall be had and the same penalty imposed as is provided in and by section 2389 of this chapter in cases where water has been unlawfully turned on. (Note: See Supplement.)

**2434. Certain premises required to be under meter.]** All manufactories and other establishments, including breweries, bookbinderies, bottling establishments, brick yards, chemical laboratories, church organ motors, cigar manufactories, cooperage, condensing water for steam engines, confectioneries, distilleries, dye and scouring houses, fish packing, gang saws in stone yards, hat factories, hydraulic elevators, hydraulic motors for elevators, livery stables, malt houses, natatoriums, photograph galleries, printing offices, packing houses, public laundries, public hospitals and other public institutions and buildings, railroad engine and round houses, railroad passenger and freight depots, rectifying establishments, rendering plants, swimming tanks, silver plating establishments, slaughtering houses, sugar refineries, syrup factories, soap factories, soda and other prepared water factories, tanneries, tobacco factories, telegraph

and telephone battery rooms, vinegar factories, wool washing, etc., obtaining water from the Chicago water works system shall have the water supplied thereto controlled by water meters.

(Note: See Supplement.)

**2435. Rates and charges where not under meter.]** If any such factories or establishments are not now under meter control they shall be assessed and charged for the use of water therein and for all fixtures installed therein such rates and charges as are prescribed in this chapter for similar uses of water or for similar fixtures. If there be any use of water or any fixtures in any such factory or establishment for which no rate or charge has been fixed in this chapter, the commissioner of public works shall determine the charge to be made for the use of water or on account of any such fixture, the amount of such charge to be based upon an estimate of the amount of water used in such factory or establishment. (Note: See Supplement.)

**2436. Notice to install meter—deposit, etc.]** If it shall be found that any factory or other establishment hereinabove described, or any building, structure, or premises required to have the water supply thereto placed under meter control is not now under meter control the owner, agent, or person in possession, charge, or control thereof shall be notified by the commissioner of public works to proceed forthwith to install a water meter or water meters, as directed by the said commissioner, in the building, structure, or premises in question, such notice to specify, if more than one meter is required, the number of meters to be installed, the size of each meter, and the estimated price. If the owner, agent, or person so notified shall not within thirty days after the receipt of such notice have installed a water meter or water meters as directed and required to do by said commissioner or have paid to said commissioner the amount or amounts necessary to cover the cost of the purchase and installation of such water meter or water meters, the commissioner upon the expiration of such thirty days may immediately shut off the water supply to such building, structure, or premises and shall keep such supply shut off until the water supply to such building, structure, or premises has been placed under meter control or until a sufficient sum of money to cover the cost of purchasing and installing a water meter or water meters, as may be necessary, for the control of such water supply has been made by such owner, agent, or person, with the commissioner of public works.

Where the owner, agent, or person in possession, charge, or control of any premises, who has been notified under the provisions of this chapter to purchase and install a water meter, deposits with the commissioner of public works a sufficient sum of money to cover the cost of such purchase and installation it shall be the duty of the commissioner of public works to proceed forthwith to purchase and install a water meter or water meters, as the case may be, in the premises concerning which notice was sent; and if after such purchase

and installation there be any sum of money remaining unexpended out of such deposit such unexpended amount shall be forthwith returned to the person making such deposit. (Note: See Supplement.)

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### ARTICLE III.

#### COLLECTION OF RATES.

**2437. Semi-annual payment—districts.]** The water rates or charges, as herein or hereafter established, except where water supply is controlled by meter, shall be paid semi-annually in advance, at the office of the department of public works. The semi-annual payments shall cover a period from the 1st day of May to the 31st day of October, and from the 1st day of November to the 30th day of April in each and every year. There are hereby created seven water districts, as follows:

**First District.**—Embracing all that portion of the south division of the city comprising the first, second, third, fourth, and fifth Wards.

**Second District.**—Embracing all that portion of the south division of the city comprising the sixth, seventh, and eighth Wards.

**Third District.**—Embracing all that portion of the west division of the city comprising the ninth, tenth, eleventh, twelfth, thirteenth and fourteenth Wards.

**Fourth District.**—Embracing all that portion of the west division of the city comprising the fifteenth, sixteenth, seventeenth, eighteenth, nineteenth and twentieth Wards.

**Fifth District.**—Embracing all that portion of the north division of the city comprising the twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth and twenty-sixth Wards.

**Sixth District.**—Embracing all that portion of the west division of the city comprising the twenty-seventh, twenty-eighth, thirty-fourth and thirty-fifth Wards.

**Seventh District.**—Embracing all that portion of the south division of the city comprising the twenty-ninth, thirtieth, thirty-first, thirty-second and thirty-third Wards.

**2438. Time of payment specified.]** The semi-annual payments of water rates or taxes assessed in the several districts aforesaid, shall be due and payable as follows:

**First District.**—Between the first and thirty-first days of May, and the first and thirtieth days of November, respectively, of each and every year.

**Second District.**—Between the first and thirty-first days of May,

and the first and thirtieth days of November, respectively, of each and every year.

Third District.—Between the first and fifteenth days of January, and the first and fifteenth days of July respectively, of each and every year.

Fourth District.—Between the fifteenth and thirty-first days of January, the fifteenth and thirty-first days of July, respectively, of each and every year.

Fifth District.—Between the first and fifteenth days of February, and the first and fifteenth days of August, respectively, of each and every year.

Sixth District.—Between the first and thirtieth days of June, and the first and thirty-first days of December, respectively, of each and every year.

Seventh District.—Between the first and fifteenth days of June, and the first and fifteenth days of December, respectively, of each and every year.

**2439. Discount allowed.]** Any person who shall pay the water rates or charges at any time within the period hereinbefore described for the respective districts for the current period commencing on the first days of the months specified in the foregoing section respectively, shall be allowed a discount of fifteen per cent on the whole amount assessed or charged for said six months; Provided, however, that the ratepayers may pay water rates or charges in any of the districts aforesaid prior to the time respectively prescribed and thereby obtain the discount named.

**2440. Shutting off of water.]** Any person failing to pay his water rates or charges assessed or charged within the time prescribed hereinbefore shall not be entitled to any discount, and in case of failure to pay his water rates or charges within the current discount period, the water supply of the premises against which such rates or charges are outstanding shall be cut off by the department of public works.

**2441. Vacant premises—shut off, etc.]** Whenever the water is shut off from any building, structure or premises to enforce collection of water rates, where there are charges other than the "frontage" charge, and the premises immediately following such shutting off become vacant and remain vacant for a period of sixty days or more, upon the presentation of a properly executed affidavit made by the owner, agent or occupant of the premises, verified by an inspection made by a regularly authorized inspector, an abatement of all fixture charges and seventy-five per cent of the frontage charge shall be made for the time such premises are vacant.

Whenever the owner, agent, lessee or person in charge, possession or control of any building, structure or premises shall give notice



in writing to the superintendent of water that any building is vacant or unoccupied, and request the department of public works to turn off the water, said superintendent shall at once cause the water supply of such building to be cut off, and shall make a charge of one dollar on the books of the department of public works against said building for such service, the same to be collected with the bill next thereafter to fall due; and when the owner, agent or lessee shall make a formal request that the supply of water be turned on it shall be done free of charge. (Note: See Supplement.)

**2442. Notice to turn off water in flat building—inspection.]** Whenever the owner, agent or lessee of any flat building or apartment building designed or adapted to use as apartments for two or more families, where water from one flat or apartment cannot be shut off without preventing the supply of water to other flats or apartments in the same building, shall give notice in writing to the superintendent of water that any part of such building is vacant and unoccupied, he shall be charged a fee of fifty cents on the books of the department of public works against such building for an inspection thereof, the same to be collected with the bill next thereafter to fall due, and the said superintendent shall at once cause an inspection of such building to be made and a report thereof to be filed in his office.

The result of such inspection shall be noted in the books of the water office, and if it shall appear from such report that any part of such building was vacant or unoccupied at the time of such inspection, and if at the time when the owner, agent or lessee of such building shall offer to pay the water rates thereon for the next succeeding assessment period, it shall appear by an affidavit of the owner, agent, or lessee of such building that the said parts of such building have been vacant and unoccupied continuously since the date of inspection up to the time when the water rates for the next assessment period are due, and if the said part or parts of said building shall have been vacant and unoccupied for the space of at least two months, said superintendent shall give to the owner of such building, credit upon the amount of water rates other than frontage rates charged against said part or parts of said building for the next succeeding assessment period in such proportion as the time that such part of said building was so vacant and unoccupied bears to the whole assessment period.

In case any owner, agent or lessee shall endeavor to escape the payment of water rates by making a false affidavit in relation to the vacancy or occupancy of any flat or apartment building then the semi-annual water rates against such building in question shall be assessed and charged at double the rate otherwise chargeable against such building for the current or succeeding semi-annual period.

**2443. Vacant premises—notice—refund.]** Whenever notice shall be given by any person owning, occupying, or in possession, charge,

or control of any building, structure, or premises, or part thereof, under the provisions of the two preceding sections, such person shall be required to pay at the beginning of each period, after such notice, the full amount of the water rates and charges which would properly accrue and be charged against such building, structure, or premises, or part thereof, if the same were not vacant; and if such premises shall be vacant at the beginning of the next period or shall have remained vacant for at least sixty days during the period for which such payment was made, such person shall be entitled to and shall receive a refund of the amount paid by him, except the amount of the frontage charges against such building, structure, or premises, or part thereof, if the same shall have remained vacant during the entire period. If the same shall have remained vacant less than the entire period and not less than sixty days such person shall be entitled to a proportionate refund.

The person owning, or in possession, charge, or control of any building, structure, or premises, or part thereof, concerning which notice of vacancy is given and a claim for refund is made in accordance with the provisions of this section and the two preceding sections, shall not be entitled to any refund on account of any such vacancy unless he shall file a notice in writing, during the first three days of each period, with the superintendent of the water office, setting out therein a description of such building, structure, or premises, and stating that the same are vacant, and how long they have been vacant prior to the making of such statement. He shall also submit with such statement, or within three days after the filing thereof, if required so to do by the superintendent of water, an affidavit containing such information regarding the premises alleged to be vacant as the superintendent of water may request, for the purpose of satisfying himself that such building, structure, or premises are vacant and that such person is entitled to a refund of water rates and charges thereon under the provisions of this ordinance.

(Note: See Supplement.)

**2444. Suspense accounts to be opened.]** The commissioner of public works shall cause to be opened in the general ledger of the bureau of water two accounts, to be known as suspense accounts, Nos. 1 and 2. In suspense account No. 1 shall be shown the totals of all of the accounts and items which may under any section, relating to frontage rates accounts, be ordered transferred; and in suspense account No. 2 shall be shown the totals of all the items which may under any section, relating to meter rates accounts, be ordered transferred.

**2445. Ledgers for suspense accounts.]** The commissioner of public works shall provide suitable detailed ledgers, in which the detailed accounts of suspense accounts Nos. 1 and 2 shall be kept and shown. All accounts affected by the preceding section, together with all ac-

counts affected by order of court and recommendations of the corporation counsel, shall come within the scope of this section.

**2446. Department of public works attorney—duties—bond.]** The corporation counsel shall employ an attorney at law, to be known as the department of public works attorney. He shall be subject to the instructions of the corporation counsel and of the commissioner of public works, and shall perform such duties as the corporation counsel or the commissioner may impose. He shall be required to give bond in the sum of five thousand dollars with sureties to be approved by the corporation counsel.

**2447. Change in ownership of property.]** Where the ownership of property changes, by foreclosure or otherwise and water rates and charges are unpaid, it shall be the duty of the superintendent of the bureau of water to accept payment of current rates and charges from the new owner or owners and to proceed to collect the unpaid rates and charges from the person or persons liable therefor. Provided, the party offering to pay taxes subsequent to his purchase, shall be required to make affidavit as to the time of purchase; stating in his affidavit the date of the deed, the name of the grantor, together with the record by book and page as shown by the recorder's office, in which such deed is recorded.

**2448. Assessments—how made.]** All assessments shall be made by the assessor from reports of regularly qualified inspectors or rate-takers; and no increase or decrease, except such as is certified to by the assessor, subject to the approval of the superintendent of water, shall be entered in any ward book, meter book or other book of the department of public works.

**2449. False returns.]** Should any inspector make false returns as to the width, or height in stories, of a building, or as to the number of fixtures therein, or as to the character of the business, which, by its nature, would be assessable under the foregoing tariff of rates, he shall be removed from office according to law.

**2450. False entry.]** Should an assessor, in recording the result of any inspection, be guilty of making a false entry, or an entry not in accordance with the inspection, or should any rate-taker, or any one authorized by the department of public works to read meters, or should any entry clerk, making record of the meter readings, or of any assessment, be guilty of making false entries or reports, he shall be removed from office according to law.

**2451. Unlawful decrease or alteration.]** Should any person not authorized by law make any decrease or alteration in an assessment on any of the books in the department of public works, such person shall be fined not to exceed the sum of two hundred dollars for each offense.

**2452. Unlawful altering of books.]** No account in any ward book,

division book, meter book, or other book of the department of public works shall be altered in any manner, either by increasing or decreasing the amount assessed, except by direction of the assessor of the bureau of water, subject to the approval of the superintendent of water, and by him only upon written reports made by duly qualified inspectors, rate-takers or other persons authorized to read meters; such reports shall first be recorded in the assessor's book, and transcript made by the assessor to a person duly authorized to make entries in the books indicated upon the assessor's sheets.

**2453. Refund on duplicate or over payments.]** In cases of duplicate payments, over-payments, payments on wrong property, or any payment occasioning the necessity of a refund, it shall be the duty of the assessor of the bureau of water to certify to the cause of such refund, which, when endorsed by the superintendent of water, and approved by the commissioner of public works, shall be paid by the comptroller. Provided, refunds shall be paid only to the person who made the payment on account of which such refund is made or to his duly authorized agent, and who presents the receipted bill showing such payment. A record book shall be kept by the assessor, in which all rebates and the name and residence of the person to whom such rebate was paid, and the date of such payment shall be recorded.

## CHAPTER LXXII.

### WEAPONS.

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#### ARTICLE I.

##### CONCEALED WEAPONS.

**2454. Carrying prohibited.]** It shall be unlawful for any person, within the city, to carry or wear under his clothes or concealed about his person, any pistol, revolver, derringer, bowie knife, dirk, knife, razor or dagger, slung-shot, metallic knuckles, or other dangerous or deadly weapons of a like character.

**2455. Confiscation.]** Any such weapon or weapons duly adjudged by any police magistrate or justice of the peace of said city to have been worn or carried by any person in violation of the first section of this article shall be forfeited to and confiscated by the city, as hereinafter provided.

**2456. Arrest and detention.]** Any policeman of the city may, within the limits of said city, without a warrant, arrest any person whom such policeman may find in the act of carrying or wearing under his clothes or concealed about his person, any deadly weapon of the character in this article specified, or any other dangerous or deadly weapon, and detain him, in custody until a summons or warrant can be procured on complaint made (under oath or affirmation) for the trial of such person, and for the seizure and confiscation of such of the weapons as such person may be found in the act of carrying or wearing under his clothes, or concealed about his person.

**2457. Warrant—arrest—hearing.]** Upon complaint made under oath or affirmation, to any magistrate or justice of the peace in said city, that any person has been guilty of violating any of the provisions of the first section of this article, a summons or warrant shall issue for the summoning or arrest of the offender, returnable forthwith. Upon the return of such summons or warrant, such magistrate or justice shall proceed to the hearing and determination of the matter, and if it shall be adjudged that such person has violated any of the provisions of this article, such magistrate or justice of the peace

shall so adjudge, and order that the weapon or weapons shall be forfeited to, and confiscated by, the city.

**2458. Officers excepted.]** The provisions of this article shall not apply to sheriffs, coroners, constables, members of the police force, or other peace officers engaged in the discharge of their official duties, or to any person summoned by any of such officers to assist in making arrest or preserving the peace, while such person so summoned is engaged in assisting such officer.

**2459. Penalty.]** Any person violating any of the provisions of this article shall be fined in a sum not less than twenty-five dollars nor more than two hundred dollars for each offense, and the confiscation of any such weapon mentioned in this article in the manner herein provided for shall not be held to exempt any person from the imposition of the fine herein provided for.

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## ARTICLE II.

### DEADLY WEAPONS.

**2460. Unlawful to sell knuckles, etc.]** Whoever shall have in his possession, or sell, give or loan, hire or barter, or offer to sell, give, loan, hire or barter, to any person within the city, any slung-shot or metallic knuckles, or other deadly weapons of like character, or any person in whose possession such weapons shall be found, shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

**2461. Weapons not to be sold to minors.]** No person shall sell, give, loan, hire, barter, furnish or offer to sell, give, loan, hire, barter, or furnish, to any minor within the city any gun, pistol, revolver, fowling-piece or other fire-arm, or any toy gun, toy pistol, toy fowling piece, or other toy fire-arm, in which any explosive substance can be used, or any bowie knife, dirk, dagger, or other deadly weapon of a like character, under a penalty of not less than ten nor more than one hundred dollars for each offense.

**2462. Register.]** Every person dealing in deadly weapons of the kind mentioned in the last preceding section, at retail within this city, shall keep a register of all such weapons sold, loaned, rented or given away by him. Such register shall contain the date of the sale, loaning, renting or gift, the name and age of the person to whom the weapon is sold, loaned, rented or given, the price of such weapon, and

the purpose for which it is purchased or obtained. The said register shall be in the following form:

No. of weapon.	To whom sold, loaned, rented or given.	Age of pur- chaser or per- son obtaining weapon.	Kind and description of weapon.	For what purpose pur- chased or obtained.	Price of weapon.
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Such register shall be kept open for the inspection of the police, at all reasonable times during business hours.

**2463. Penalty.]** Any person or corporation violating any of the provisions of this article, where no other or different penalty is imposed, shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

## CHAPTER LXXIII.

### WEIGHTS AND MEASURES.

**2464. Office created—appointment.]** There is hereby created the office of inspector of weights and measures. He shall be appointed by the mayor by and with the advice and consent of the city council.

**2465. Bond.]** Said inspector shall, before entering upon the duties of his office, execute a bond to the city, in the sum of five thousand dollars, with sureties to be approved by the city council conditioned for the faithful performance of the duties of his office.

**2466. Annual and semi-annual inspections.]** It shall be the duty of said inspector to inspect and examine once in each year all weights, measures, scale beams, patent balances, steelyards and other instruments used for weighing and measuring in the city, except track scales and scales of a capacity of three tons or upward, which shall be inspected once in every six months, and to stamp with a suitable seal all weights and measures and scales so used which he may find accurate, and deliver to the owner thereof a certificate of their accuracy.

**2467. Register—report.]** It shall be the duty of the said inspector to make a register of all the weights, measures, scale beams, patent balances, steelyards, and other instruments used for weighing, inspected and sealed by him, in which he shall state the names of the owners of the same, and whether they are conformable to the standard of the state.

**2468. Report violations for prosecution.]** It shall be the duty of the said inspector of weights and measures, to report forthwith to the prosecuting attorney of the city the names and places of business of all persons violating any of the provisions of this chapter, and of all persons making use of any fraudulent or unsealed weights or measures, gauge or balances.

**2469. Inspector not to vend.]** It shall not be lawful for the said inspector to vend any weights, measures, scale beams, patent balances, steelyards, or other instruments to be used for weighing, or to offer or expose the same for sale or be interested directly or indirectly in the sale of the same in the city, under a penalty of fifty dollars for every such offense.

**2470. Inspection—condemnation—adjustment—seizure.]** Said inspector shall examine and inspect and seal all weights, measures, scale beams, patent balances, steelyards and other instruments used for weighing at the stores and places where the same may be used;



but, in case they, or any of them, shall not be conformable to the standard of this state, they shall be marked "condemned," and the owner thereof shall within ten days thereafter have the same properly adjusted and sealed under a penalty of not more than ten dollars and the inspector may, at any time after the expiration of the time aforesaid, seize and destroy any and all such condemned weights, measures, scale beams, patent balances, steelyards and other instruments used for weighing found in use.

**2471. Fees—limitations.]** It shall not be lawful for the said inspector to make charges for inspecting and examining weights, measures, scale beams, patent balances, steelyards or other instruments used for weighing more than once in each year (except charges for inspecting and examining track scales and scales of a capacity of three tons and upwards, which shall not be made more than once in every six months), unless such weights, measures, scale beams, patent balances, steelyards or other instrument used in weighing and measuring shall be found to be not conformable to the said standard.

**2472. Report to comptroller.]** The inspector of weights and measures shall pay over to the city collector each day all fees, charges, moneys, emoluments, or valuable consideration of any kind whatsoever collected or received by him by reason of or for or on account of the performance by him of the duties of his office; and each such payment shall be accompanied by a report in writing or directed to the city comptroller and verified by affidavit of the said inspector, which said report shall show in detail all fees, charges, moneys, or valuable consideration of any kind paid to or collected or received by said inspector during the day preceding the day of such report; and such report shall be made daily and shall accompany each daily payment as hereinbefore provided for.

**2473. Fees for inspection.]** The inspector of weights and measures shall demand and receive for the use of the city before the delivery of the certificate provided for in and by section 2470 of this chapter the following fees:

For inspecting and sealing scales of the capacity of 40,000 pounds and upwards, each .....	\$3.50
For inspecting and sealing scales of the capacity of 24,000 pounds up to 40,000 pounds, each .....	1.50
For inspecting and sealing scales of the capacity of 6,000 pounds up to 24,000 pounds, each .....	1.00
For inspecting and sealing scales of the capacity of 2,500 pounds up to 6,000 pounds, each .....	.50
For inspecting and sealing scales of a capacity of 240 pounds up to 2,500 pounds, each .....	.35
For inspecting and sealing scales of the capacity of 2 pounds up to 240 pounds, each .....	.20

For inspecting and sealing hopper scales, each .....	1.25
For inspecting and sealing two bushel, one bushel, and one-half bushel measures, each .....	.05
For inspecting and sealing any other dry measure, each ...	.05
For inspecting and sealing every automatic weighing machine or every instrument or device of a capacity of less than three tons used for weighing or measuring any person or animal for hire or reward, each .....	.50
For inspecting and sealing liquid measures of the capacity of one gallon and upwards, each .....	.10
For inspecting and sealing any other liquid measures, each..	.05
For inspecting and sealing yard measures, each .....	.05

In every case where said inspector may at the request of the owner or person in possession, charge, or control of any scale, weight, or measure, employ labor or material in making such scale, weight, or measure accurate, he shall charge and receive from such owner or person for the use of the city a just and reasonable compensation for such labor or material.

**2474. Resignation or removal.]** Whenever the inspector of weights and measures shall resign, be removed from office, or remove from the city, it shall be his duty to deliver to the city comptroller all the standard beams, weights and measures in his possession.

**2475. Official standard of weights and measures.]** The comptroller, at the expense of the city, shall procure correct and approved standards of weights and measures, of the standard adopted by the state of Illinois, with their necessary subdivisions, together with the proper beams and scales, for the purpose of testing and proving the weights and measures of said standard used in the city.

**2476. Inspection obligatory.]** Every person using weights, measures, scale beams, patent balances, steelyards, or any instrument, in weighing or measuring any article intended to be purchased or sold in the city, or in weighing or measuring any person or animal for hire or reward shall cause the same to be inspected and sealed by the inspector of weights and measures in accordance with the provisions of this chapter.

**2477. Peddlers and hawkers.]** All itinerant peddlers and hawkers using scales, balances, weights or measures shall take the same to the office of the inspector of weights and measures, before any use is made thereof, and have the same sealed and adjusted annually; and any such person failing to comply with the provisions of this section, shall be fined not less than five nor more than one hundred dollars for each offense, and every day such person shall use such scales, balances, weights or measures without having the same adjusted and sealed as hereinbefore provided shall constitute a separate and distinct offense. Any itinerant peddler or hawker found using any ice

scale, shall be subject to a fine of not less than ten dollars nor more than fifty dollars for each offense.

2478. Deceit or fraud in regard to measurement or weight of commodities.] Any person or corporation who shall practise deceit or fraud of any kind whatsoever in the sale of wood, coal, grain, berries, fruit, vegetables, liquids or fluids of any kind, or any other commodity or article of merchandise of any kind whatsoever, whether sold by dry measurement or liquid measurement, by selling or offering for sale any such wood, coal, grain, berries, fruit, vegetables, liquids or fluids of any kind, or any other commodity or article of merchandise of any kind whatsoever, in quantities of less weight or measure than the weight or measure represented by the vendor or his agent or employe upon such sale or offer of sale, or who shall sell or offer for sale any article of dry measurement in other than a legal dry measure or any article of liquid measurement in other than a legal liquid measure, or in any measure which has not been inspected and sealed by the inspector of weights and measures in accordance with and pursuant to the provisions of this chapter, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

2479. Sale of milk or cream in bottles.] No person or corporation shall sell or offer for sale within the city any milk or cream in bottles or in glass jars unless such bottles or glass jars be of a capacity of either one-half pint, one pint, or one quart; and no milk or cream shall be sold or offered for sale within the city in any bottle or glass jar of a size or capacity other than or different from the sizes and capacities herein prescribed. Each such bottle or glass jar in which milk or cream is sold or offered for sale shall have blown into it in a legible and conspicuous manner the capacity thereof, and the inspector of weights and measures shall have the right at any time to examine any bottle or glass jar in which milk or cream is sold or offered for sale or which is used by any person or corporation for the purpose of containing milk or cream to be sold or offered for sale, in order to ascertain whether such bottle or jar is of the capacity it purports to be. If any such bottle or jar is of a less capacity than that which it purports to be, the person or corporation selling or offering for sale milk or cream in any such bottle or jar or having in his or its possession any such bottle or jar, to be used or which has been used for the purpose of containing milk or cream to be sold or offered for sale; shall be fined not less than five nor more than one hundred dollars for each offense; and each and every bottle or jar found in the possession of any person or corporation, used or to be used or which has been used by such person or corporation for the purpose of containing milk or cream to be sold or offered for sale in the city, which shall be found to be of a less capacity than that blown

into same or to be of a different size than that authorized in and by the provisions of this chapter shall constitute a separate and distinct offense on the part of such person or corporation.

**2480. Certificate required.]** Any person who shall, in weighing or measuring any article for purchase or sale within the city, use any weight, measure, scale beam, patent balance, steelyard, or other instrument or who shall maintain or operate any weight, measure, scale beam, patent balance, steelyard, or other instrument, whether automatic or otherwise, used for the purpose of weighing or measuring any person or animal for hire or reward, which has not been sealed or for which the aforesaid certificate has not been obtained from the inspector, as required by this chapter, shall be fined not less than five nor more than twenty-five dollars for each offense.

**2481. Incorrect or faulty measures or scales.]** If any person shall use, maintain or operate in the city, in weighing or measuring as aforesaid, any weight, measure, scale beam, patent balance, steelyard, or other instrument, which shall not be conformable to the standard of this state, or shall use in weighing, as aforesaid, any scale beam, patent balance, steelyard, or other instrument, which shall be out of order or incorrect, or which shall not balance, he shall be fined for every such offense not less than twenty-five dollars nor more than one hundred dollars.

**2482. Refusal to exhibit.]** No person shall refuse to exhibit any weight, measure, scale beam, patent balance, steelyard, or other instrument, to said inspector for the purpose of being so inspected and examined, under a penalty of not less than twenty-five dollars for each offense.

**2483. Interference with officer.]** No person shall in any way or manner obstruct, hinder, or molest the inspector of weights and measures in the performance of his duties as hereby imposed upon him, under a penalty upon every such person of not less than twenty-five dollars for each offense.

**2484. General penalty.]** Any person or corporation who shall violate any of the provisions of this chapter shall be fined not less than five nor more than one hundred dollars for each offense.

## CHAPTER LXXIV.

### WEIGHERS.

**2485. Appointment.]** The mayor shall from time to time appoint so many and such persons to be city weighers as he may think proper, and he may remove them.

**2486. Bond—license fee.]** Every city weigher shall execute a bond to the city, in the sum of one thousand dollars, with sureties to be approved by the mayor, conditioned for the faithful performance of his duties, and shall pay to the city collector the sum of ten dollars per annum upon each of his scales as and for an annual license fee or permit.

**2487. Scale — how provided.]** Each of said weighers so appointed shall provide his own scales, which shall be of the most approved pattern in use, and shall locate them and keep them properly adjusted and repaired at his own expense.

**2488. Adjustment and sealing.]** It shall be the duty of the weighers so appointed to have their scales adjusted and sealed by the inspector of weights and measures at least once in every three months, and oftener if required. It shall further be their duty to weigh any coal, hay or any other article, when so requested by the person bringing the same.

**2489. Deputy weighers.]** The weighers so appointed shall have power to appoint all necessary deputies to attend such scales, and the official bond of such weighers shall be holden and answerable for the acts of such deputies.

**2490. Attendance.]** Such weighers shall, either in person or by such deputy, be present at their individual scales during all reasonable hours each day, Sundays and public holidays excepted.

**2491. Charges for weighing.]** City weighers shall be allowed to charge and receive ten cents for every load or part of a load, or other article of any kind or nature whatsoever weighed by them, and shall keep an account of the weight of every such load and shall furnish to the person having such load weighed a certificate for each load, which certificate shall contain the gross and net weight of each load weighed by them.

**2492. Records to be kept.]** The said city weighers shall severally provide themselves with, and each shall keep, a book in which he shall enter the amount of each load, and the name of each person for

whom, and the date when the same was weighed; and when the vehicle and load shall be weighed together, the city weigher's certificate shall state the gross weight thereof, and upon the sale or delivery of such load, the vehicle shall again be weighed, without charge, by the city weigher who weighed the original load, and thus the net weight of the load ascertained.

**2493. Weight of vehicles.]** In no case shall any city weigher state in his certificate the weight of any vehicle which may have been weighed with any load, until such city weigher shall have ascertained the weight of such vehicle by actually weighing the same on his said scales.

**2494. Certificate not to be altered.]** No person shall alter any certificate of any city weigher, or use or attempt to use the same for any other load or parcel than the one for which the same was given, nor, after the weighing and before the sale and delivery of any load or parcel, diminish the quantity thereof.

**2495. Examination of books.]** The city comptroller shall be permitted, by himself or his agent, to examine at his pleasure the books required, as aforesaid, to be kept by the city weighers.

**2496. Street scales prohibited—exception.]** No person shall use or keep any scale in any public place, street or alley, within the city for weighing any substance or thing, for the public, except city weighers who shall have complied with all the provisions of this chapter, and who have been duly authorized by the city council to install their scales in such public place, street or alley. Any person violating any of the provisions of this chapter shall be fined not less than ten dollars nor more than fifty dollars for each offense.

## CHAPTER LXXV.

**2497. Repeal of general ordinances—exceptions.]** All general ordinances passed by the city council prior to the twentieth day of March, A. D. 1905, are hereby repealed, except an ordinance entitled "An Ordinance for the restoration of highways and streets in the city of Chicago whose surface is occupied by railroad tracks, by the removal of such tracks, and for the removal of railroad tracks from the surface of highways and streets in said city," passed February 23, 1893. Private or special ordinances and local ordinances prohibiting or regulating the sale or giving away of intoxicating liquor in certain districts, passed by the city council or by the legislative authorities of cities, towns, and villages heretofore annexed, and all ordinances establishing dock lines, which were in force at the time of the passage of this ordinance, are not hereby repealed.

**2498. Pending suits or prosecutions not affected.]** The repeal of general ordinances by the preceding section shall not affect any suit or action or proceeding had or commenced in any court before the date this ordinance takes effect, nor any offense committed nor any penalty or forfeiture incurred, nor any suit or prosecution pending for the recovery of any fine or penalty incurred under any ordinance so repealed.

**2499. Title of ordinance—when to take effect.]** This ordinance, consisting of sections 1 to 2499 (both inclusive) shall be known as "The Revised Municipal Code of Chicago of 1905," and shall take effect and be in force from and after its passage.





SUPPLEMENT  
TO  
THE REVISED  
MUNICIPAL CODE OF CHICAGO  
OF 1905

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CONTAINING ALL GENERAL ORDINANCES PASSED BY  
COUNCIL BETWEEN MARCH 20, 1905, AND SEPTEMBER



**SUPPLEMENT**  
**TO THE REVISED**  
**MUNICIPAL CODE OF CHICAGO**  
**OF 1905**

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**CONTAINING ALL GENERAL ORDINANCES PASSED BY THE CITY COUNCIL  
BETWEEN MARCH 20, 1904, AND SEPTEMBER 20, 1904.**

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**LOTTERIES.**

**Passed March 27, 1905.**

Be it ordained by the city council of the city of Chicago:

Section 1. No person shall keep, occupy or use, or permit to be kept, occupied or used, a place, building, room, establishment, table or apparatus for policy playing or for the purchase, sale, exchange, or redemption of what are commonly called lottery tickets or policy tickets.

No person shall deliver or receive money or other valuable consideration in playing policy or in aiding in the playing thereof, or for lottery or policy tickets, or for any writing, paper or document in the nature of a bet, wager or insurance upon the drawing or drawn numbers of any lottery or policy game, whether such drawing be real or imaginary.

No person, except a public officer, shall have in his possession, custody or control any writing, paper or document representing or being a record of any chance, share or interest in numbers sold, drawn or to be drawn, in what is commonly called policy, or in the nature of a bet, wager or insurance upon the drawing or drawn numbers of any public or private lottery or policy game, whether such drawing be real or imaginary.

No person, other than a public officer, shall have in his possession,

custody or control any paper, print, writing, numbers, device, policy slip, policy sheet or article of any kind such as is commonly used in carrying on, promoting or playing the game commonly called policy.

No person shall sell, offer for sale, vend, barter, exchange, give away, deal in or in any way dispose of or redeem any ticket, order, slip or device of any kind for or representing any number of shares or any interest in any lottery, policy or scheme of chance of any kind or description by whatever name, style or title the same may be denominated or known, and whether located or to be drawn, paid or carried on within or without the limits of the city of Chicago, or whether such purported drawings be real or imaginary.

No person shall either publicly or privately, as owner or agent, establish, open, set on foot, carry on, promote, make, draw, or act as "backer" or "vender" for or on account of, any lottery, policy or scheme of chance of any kind or description by whatever name, style or title the same may be denominated or known, whether located or to be drawn, paid or carried on within or without the limits of the city, and whether such drawings be real or imaginary, and no person shall be in any way concerned in any such lottery, policy or scheme of chance as aforesaid.

No person who is the owner, lessor, lessee, agent, superintendent, janitor or care-taker of any place building or room shall permit policy playing or the barter, sale, exchange or redemption of what are commonly called lottery or policy tickets or slips or the sale of any chances in alleged drawings in lotteries or policies to be carried on in such place, building or room, whether such drawings be real or imaginary.

No person shall patronize, frequent or be found in any place, building, room or establishment kept, occupied or used for policy playing, for policy or lottery drawings, or for the sale of what are commonly called lottery or policy tickets or slips, or in which are kept any paper, prints, writings, numbers, devices, policy slips, policy tickets, policy sheets or article of any kind, such as is commonly used in carrying on, promoting or playing the game or scheme commonly called policy.

No person shall write, print, publish, circulate or distribute in any way an account of any lottery, policy or scheme of chance of any kind or description by whatsoever name, style or title the same may be denominated or known, and no person shall write, print, publish, circulate or distribute any book, pamphlet, circular, sheet or paper whatsoever containing or purporting to contain information concerning any lottery, policy or scheme of chance, or where the same is to be or has been drawn, or the prizes therein or any of them or the price of a ticket, or where any such ticket may be or has been ob-

tained, or any way giving publicity to any such lottery, policy or scheme of chance, whether the drawings therein referred to be real or imaginary.

No person shall aid, assist or abet in any manner, or be a party to any of the offenses, acts or matters hereinbefore specified.

Section 2. Every person violating any of the provisions of this ordinance shall upon conviction thereof be subject to a fine of not less than twenty-five dollars nor more than two hundred dollars.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication.

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SCAVENGERS.

Passed March 27, 1905.

Be it ordained by the city council of the city of Chicago:

Section 1. It shall be unlawful for any person, firm or corporation within the city of Chicago to engage in the business of collecting, gathering or transporting butcher's offal, calf skins, hotel or restaurant bones, grease, glue stock, or kindred refuse by wagon, cart or otherwise, or drive any wagon or vehicle for such purpose through the streets, alleys or public places of the city of Chicago without a permit from the commissioner of health.

Section 2. Any person, firm or corporation, desiring to engage in such business shall first make written application therefor to the commissioner of health, in which application there shall be set forth the nature of the business to be carried on, and whether the applicant is a firm, copartnership or corporation, with the names and business addresses of members of such firms or officers of such corporations making such application. The commissioner of health shall thereupon investigate the character and standing of the applicant, and submit to the mayor said application, with his opinion as to the propriety of granting such permit; and if the mayor shall be satisfied that the person or persons mentioned are of good character, reputation and responsibility, and are suitable persons to be trusted with the conduct of such business, he shall cause to be issued to said applicant a license for that purpose.

Every applicant for such license shall, before the issue thereof, pay into the city treasury, as an annual license fee, the sum of one hundred dollars.

Any license so granted may be revoked upon written notice by the mayor to the holder, whenever, upon the recommendation of the commissioner of health, it shall appear to the mayor that the party so licensed has violated the provisions of this ordinance, or is con-

ducting said business in violation of any other ordinance of the city of Chicago or law of the state of Illinois.

Section 3. All carts, wagons and vehicles used by the person, firm or corporation thus licensed for the collection of such material in bulk shall be provided with tight bodies or boxes, and the sides thereof shall be sufficiently high above the load of contents that no part of the contents shall fall, leak or spill therefrom, and every vehicle so employed shall be covered with a waterproof tarpaulin or heavy canvas cover which shall be kept in a clean, sanitary condition, and which shall always be tightly spread over the top of said vehicle. In all cases where such material is transported in packages, said package, whether it be a box, barrel or can, shall be water tight and closely covered so as to prevent any of the contents from leaking or spilling or falling therefrom, onto any sidewalk, street, alley or public place.

Such carts, vehicles, and all implements used in connection therewith must be kept in an inoffensive and sanitary condition, thoroughly washed daily.

Section 4. No butcher's offal, calf skins, glue stock, hotel or restaurant bones, grease or kindred refuse shall be permitted to remain in any wagon or vehicle used in its collection or conveyance for any period longer than fifteen hours, and all such material so collected or conveyed, shall be unloaded at some plant within the city limits licensed to utilize such material. No vehicle containing such material shall be permitted to remain or be stored in any public or private barn, building, thoroughfare, alley, or in any other place (except plants licensed to utilize such material) within the limits of the city of Chicago, over night, and the storing of any butcher's offal, calf skin, glue stock, hotel or restaurant bones, grease or kindred refuse in wagons or vehicles upon any premises within the limits of the city of Chicago shall be deemed, and is hereby declared, a public nuisance.

Section 5. During the period beginning with the 1st day of May and ending upon the 15th day of October in each year, no butcher's offal, calf skins, glue stock, hotel or restaurant bones, grease or kindred refuse, shall be collected from said shops, hotels, or restaurants in any street or alley of the city of Chicago in the district bounded on the north by the Chicago river, on the south by 12th street, on the west by the Chicago river, and on the east by Lake Michigan, between the hours of ten o'clock A. M. and 7 o'clock P. M.

Section 6. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply, or resists any of the provisions of this ordinance, shall, whenever no other or different penalty is provided, upon conviction be subject to a fine of not less than ten dollars, nor more than twenty-five dollars for each offense, and

any person who shall hereafter engage in the business of gathering or conveying butcher's offal, calf skins, glue stock, hotel or restaurant bones, grease or kindred refuse, through or upon any public street or alley within the limits of the city of Chicago, without first having obtained a license as above provided, shall be deemed violating the ordinance and fined not less than ten dollars nor more than twenty-five dollars for each and every day the person, firm or corporation proceeds in violation of this ordinance.

Section 7. This ordinance shall take effect and be in force from and after the 1st of May, 1905.

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## OPENINGS IN SIDEWALKS.

Passed May 22, 1905.

Be it ordained by the city council of the city of Chicago:

Section 1. That it shall be unlawful for any person, firm or corporation owning or using any coal hole, sidewalk lift, outside stairway or other opening in any public sidewalk, to allow the same to remain uncovered or opened, except while the same is actually being used for the purpose of entrance or exit, or for the purpose of introducing or removing any article through such opening.

Section 2. Any person, firm or corporation violating any of the provisions of section 1 hereof shall upon conviction thereof, be subject to a fine of not less than ten dollars nor more than two hundred dollars.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication.

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## APPROVAL OF LICENSE BONDS.

Passed June 12, 1905.

Be it ordained by the city council of the city of Chicago:

Section 1. That section 1333 of the Revised Municipal Code of Chicago of 1905, passed March 20th, 1905, be and the same is hereby amended so as to hereafter read as follows:

"Section 1333. (License bond—approval of) Any bond given by any person or corporation to the city, under its license ordinances shall before a license is granted, be approved by the city collector or city clerk."

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage.

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ANTITOXIN.

Passed July 5, 1905.

Be it ordained by the city council of the city of Chicago:

Section 1. That section 1038 of the Revised Municipal Code of Chicago of 1905 be and the same is hereby amended so as to read as follows:

"The commissioner of health shall at all times keep on hand, so far as is practicable, a sufficient quantity of antitoxin to permit of the treatment therewith of any dependent or deserving person who may apply to him for that purpose, and he shall, without charge, treat with antitoxin any and all such persons who may apply to him for such treatment and who in his opinion require such treatment."

Section 2. This ordinance shall take effect from and after its passage.

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WATER.

Passed July 5, 1905.

Be it ordained by the city council of the city of Chicago:

Section 1. That sections 1876, 2383, 2385, 2389, 2391, 2393, 2394, 2420, 2428, 2431, 2433, 2435, 2441, 2443 of the Revised Code of Chicago of 1905 be and the same are hereby amended so as to read as follows:

Section 1876. He shall have charge of all improvements, the construction, maintenance, operation and repairing of all the city water works, and shall superintend the laying of all mains and supply water pipes.

Section 2383. All service pipes leading from any water main in any public street or way shall lead to a buffalo or shut-off box, and such service pipes or such buffalo or shut-off box shall be furnished and placed by the city at its own expense, and the expense of maintaining the same shall be borne by the city. The cost and expense of furnishing, placing and maintaining pipes leading from such buffalo or shut-off box to the building, structure or premises to be supplied with water shall be borne by the property owner.

Section 2385. Whenever two or more parties or two or more separate and independent buildings occupied by different parties shall be supplied from one service pipe connected with the distrib-



uting water main, failure on the part of any one of such parties to comply with all and singular the provisions of this chapter, or a failure on the part of any person responsible for the payment of any amount due the city for water supplied to any such buildings or persons, shall authorize the commissioner of public works to cut off and withhold the supply of water from such service pipe without any liability whatsoever against the city or against himself.

Section 2389. Where the water supply to any building, structure, or premises shall have been cut off or stopped by or on account of the nonpayment of water rates or by or on account of the violation of any of the provisions of this chapter or for any other reason or cause whatsoever, where such cutting off or stopping shall have been done by the department of public works, the water shall not again be supplied to such building, structure or premises or permitted to be turned on or in thereto without a permit first issued for that purpose by the department of public works. If it shall be found by the department of public works that the water supply has been turned on or into any such building, structure, or premises from which it has been cut off or stopped as aforesaid, in violation of the provisions of this chapter, the department of public works shall have the authority and it shall be the duty of the commissioner of public works to see to it, that the service or supply pipes by and through which water is supplied to such building, structure, or premises are cut off at the water mains or as near thereto as is practicable, and no water shall again be supplied to such building, structure, or premises or be permitted to be turned on therein, or thereto, until a sum of not less than ten dollars nor more than two hundred dollars shall have been paid as liquidated damages for and on account of the unlawful and unauthorized turning on of such water supply to such premises.

Section 2391. Every person supplied with water from the Chicago water works system shall, at his own cost and expense, keep in repair all pipes leading from the buffalo or shut-off box to his building or premises and prevent all waste of water from such pipes. If any such person shall permit any such pipe to become broken or out of repair, so that water is wasted thereby, the commissioner of public works may, after two days' notice in writing to such person to repair such pipe, cut off the water from said premises; and whenever the water is so cut off, it shall not be turned on again until the pipes of said premises or in said buildings have been placed in proper repair. The notice herein provided for may be served by personal service upon the owner, occupant or person in possession, charge or control of the premises or by mailing such notice to said person in possession, charge or control.

Section 2393. Every building, structure or premises in or on

which five hundred thousand gallons or more of water are used annually, or where the assessment under frontage rates and charges for extra fixtures shall aggregate fifty dollars per annum or more, shall have the water supply to such building, structure or premises controlled by meter.

Section 2394. At every building, structure or premises of the kind mentioned in section 2393 that is supplied with water from the Chicago water works system there shall be furnished and installed a water meter for the purpose of controlling and measuring such water supply, which said meter shall be furnished, installed and maintained at the cost and expense of the city.

Section 2420. In no case shall the commissioner of public works permit any building, structure, or premises, or any portion of any building, structure, or premises, the water supply of which is controlled by meter, to have any pipe connected with the water works system entering such building, structure, or premises or any part thereof so controlled by meter, which is not connected with the meter or the water supply through which is not controlled by meter; Provided, that any part of a building, structure, or premises used for lodging-house purposes where the per diem maximum rate does not exceed twenty-five cents per person and in which baths are given free or at a charge of not to exceed five cents, the water supply need not be supplied through a water meter, but shall be assessed only at frontage rates and the usual and current rates shall be charged for extra fixtures. Each washstand in any such lodging house shall be equipped with self-closing faucets.

The provisions of this proviso as to lodging-houses shall apply only to that portion of any building, structure, or premises which is used directly for lodging-house purposes, and shall not be held to apply to any other enterprise or any other room or part of any building, structure, or premises not used for such purposes.

Section 2431. When water is used for temporary purposes or for purposes not herein otherwise specified, the quantity of water so used or to be used shall be estimated by the commissioner of public works and shall be charged for at the following rate: Two cents per one hundred gallons.

The amount to be charged for the use of water for such temporary or other purposes, when the quantity of water used or to be used shall have been estimated by the commissioner, shall be paid in advance to the department of public works by the person or corporation desiring to use such water, at the rates herein fixed for such use.

Section 2433. Where water is delivered through a meter the bills therefor shall be presented monthly, and if remaining unpaid for thirty days after presentation the water supply shall be shut off forthwith and shall be kept shut off until such bill shall have been

paid. If the water shall be found turned on to such premises without such amounts having been paid and without permission from the commissioner of public works the same proceedings shall be had and the same penalty imposed as is provided in cases where water has been unlawfully turned on.

Section 2435. If any premises, building or establishments are not now under meter control they shall be assessed and charged for the use of water therein and for all fixtures installed therein such rates and charges as are prescribed in this chapter for similar uses of water or for similar fixtures. If there be any use of water or any fixtures in any premises, building or establishment for which no rate or charge has been fixed in this chapter, the commissioner of public works shall determine the charge to be made for the use of water or on account of any such fixture, the amount of such charge to be based upon an estimate of the amount of water used there.

Section 2441. Whenever the water is shut off from any building, structure or premises to enforce collection of water rates, where there are charges other than the "frontage" charge, and the premises immediately following such shutting off become vacant and remain vacant for a period of sixty days or more, upon the presentation of a properly executed affidavit made by the owner, agent or occupant of the premises, verified by an inspection made by a regularly authorized inspector, an abatement of all fixture charges and seventy-five per cent of the frontage charge shall be made for the time such premises are vacant.

Whenever the owner, agent, lessee or person in charge, possession or control of any building, structure or premises, shall give notice in writing to the superintendent of water that any building is vacant or unoccupied, and request the department of public works to turn off the water, said superintendent shall at once cause the water supply of such building to be cut off, and when the owner, agent or lessee shall make a formal request that the supply of water be turned on it shall be done free of charge.

Section 2443. Whenever notice shall be given by any person owning, occupying, or in possession, charge or control of any building, structure or premises, or part thereof, under the provisions of the two preceding sections, such person shall be required to pay at the beginning of each period, after such notice, the full amount of the water rates and charges which would properly accrue and be charged against such building, structure or premises, or part thereof, if the same were not vacant; and if such premises shall be vacant at the beginning of the next period or shall have remained vacant for at least sixty days during the period for which such payment was made, such person shall be entitled to and shall receive a refund of the amount paid by him, except the amount of the frontage

charges against such building, structure, or premises, or part thereof, if the same shall have remained vacant during the entire period. If the same shall have remained vacant less than the entire period and not less than sixty days such person shall be entitled to a proportionate refund.

The person owning, or in possession, charge or control of any building, structure, or premises, or part thereof, concerning which notice of vacancy is given and a claim for refund is made in accordance with the provisions of this section and the two preceding sections, shall not be entitled to any refund on account of any such vacancy unless he shall file a notice in writing, during the first three days of each period, with the superintendent of the water office, setting out therein a description of such building, structure or premises, and stating that the same are vacant, and how long they have been vacant prior to the making of such statement. He shall also submit with such statement, or within thirty days after the filing thereof, if required so to do by the superintendent of water, an affidavit containing such information regarding the premises alleged to be vacant as the superintendent of water may request, for the purpose of satisfying himself that such building, structure or premises are vacant and that such person is entitled to a refund of water rates and charges thereon under the provisions of this ordinance.

Section 2. Sections 2395, 2423, 2428, 2434 and 2436 of said Revised Code of Chicago of 1905 are hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage.

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#### HOSPITAL TREATMENT FOR INJURED CITY EMPLOYEES.

Passed July 10, 1905.

Be it ordained by the city council of the city of Chicago:

Section 1. That the mayor and the comptroller be and they are hereby authorized and directed to execute an agreement on behalf of the city of Chicago with the proper officers of one of the hospitals in each of the three divisions of the city, whereby all officers and employes of the city of Chicago, injured in the discharge of their duties, or falling sick in consequence thereof, may be taken to such hospital for treatment and maintenance, and may receive such medical and surgical aid as their case requires, at the expense of the city.

Section 2. In event of such injury or sickness to any such officer or employe it shall be the duty of the head of the department with which such officer or employe is connected, to cause such officer or employe, unless otherwise instructed by him, to be brought imme-

diately to the nearest of such hospitals with which such agreement shall have been made, where such injured person may remain until duly discharged.

Section 3. This ordinance shall take effect and be in force from and after its passage.

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#### BUREAU OF COMPENSATION.

Passed July 10, 1905.

Be it ordained by the city council of the city of Chicago:

Section 1. That there is hereby established a bureau of compensation, which bureau shall be under the direction and control of the commissioner of public works.

Section 2. Said bureau shall have charge of and receive all applications for permits to use streets, alleys, or public grounds, or any space beneath the same, and shall attend to all matters connected with the issuing of such permits.

Section 3. The commissioner of public works is hereby authorized to employ such clerks and stenographers as are needed for the transaction of the work of said bureau, the selection of the same to be in accordance with the laws and ordinances, and, until appropriation therefor is made to fix the salaries of all employes of said bureau, which said salaries and all the other expenses of said bureau, until such appropriation is made, shall be paid out of the moneys paid to the city for the use of streets, alleys, or other public grounds, or spaces beneath the same.

Section 4. This ordinance shall be in force and effect from and after its passage.

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#### TRANSFERS FROM PUBLIC MARKETS.

Passed July 10, 1905.

Be it ordained by the city council of the city of Chicago:

Section 1. That section 1400 of article 2, chapter 38 of the Revised Code of Chicago adopted March 20, 1905, relating to fees to be paid for occupying a stand or place in public markets, be and the same is hereby amended by adding the following to said section: "Provided, that the produce farmer or grower who has paid the per diem fee herein specified, shall upon application to the superintendent of the market be given a transfer ticket or check, which if presented to the superintendent of any other public market within the

city on the date of usage of said transfer ticket shall entitle the holder of said transfer ticket to any unoccupied space or stand in such other market without payment of an additional fee or price for the occupancy of such stand or space."

Section 2. This ordinance shall take effect and be in force from and after its passage.

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#### COMFORT AND SAFETY OF PASSENGERS.

Passed July 10, 1905.

Be it ordained by the city council of the city of Chicago:

Section 1. That sections 1958 and 1959 of the Revised Code of Chicago be and the same are hereby amended so as to read as follows:

**1958. Comfort and safety of passengers.]** It shall be unlawful for any person or corporation owning, leasing or operating any street railway cars, or other vehicle for the transportation of passengers for hire, within the city of Chicago, to permit any car or other such vehicle to be in use or to be operated on any of the public streets or ways of said city, unless the average temperature within such car be maintained at not lower than fifty degrees Fahrenheit; nor unless said car shall be reasonably clean, disinfected, and so ventilated as to be as free as practicable from foul or vitiated air; nor unless said car contains a standard Fahrenheit thermometer, in good order, securely fastened to the wall of the car, near the center thereof, on the opposite side from the stove or heater, if there be one, and so placed as to give the average temperature of said car, and be conveniently visible for examination by passengers thereon; nor unless there be maintained in said car, in a place conveniently accessible to passengers, a copy of this ordinance, so posted that it may be conveniently read by occupants of the cars, together with a statement that passengers are invited to report violations of this ordinance to the commissioner of public works, at the City Hall; nor unless the track upon which such car is operated and the car itself are in such condition as to insure and provide the reasonably safe, convenient and comfortable transportation of its passengers, without unnecessary noise or jolting and without danger to their safety and comfort by reason thereof; nor unless there shall be furnished a sufficient number of cars, on each separate line, to carry passengers comfortably and without overcrowding, and which cars shall be run upon a proper and reasonable time schedule, a copy of which shall upon request be furnished to the commissioner of public works; nor unless each car, on each separate line, except in case of a blockade or other unavoidable interruption

of traffic, when it once starts on its trip, shall be run to such terminus of said line as is designated on said car without switching back before reaching said terminus, if there are any passengers on said car who desire to be carried to such terminus.

The provisions of this ordinance as to the maintenance of a temperature of at least fifty degrees and with regard to thermometers and the posting of copies of this ordinance shall not apply to open cars or that class of cars now known as grip cars

As soon as this ordinance shall take effect, it shall be the duty of the chief of police, if so directed by the commissioner of public works, on account of complaints arising under said ordinance, to detail to each barn, where cars are housed, within the limits of the city of Chicago, a police officer, who shall make inspection of said cars daily and make daily reports to said chief of police of all violations, if any, of the provisions of this ordinance that he may discover. The chief of police upon receiving any reports of violations of this ordinance shall immediately transmit a report of such violations to the prosecuting attorney of this city, who shall thereupon immediately notify the alleged offenders of such violations, and, if such violations are permitted to continue, shall then bring prosecutions therefor.

**1959. Penalty.]** Any person, firm, company or corporation who shall be guilty of violating any of the provisions of the preceding section shall be fined not less than twenty-five dollars nor more than one hundred dollars for each car operated in violation of this law, and each day of the operation of such car shall be considered a separate offense.

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BUREAU OF STATISTICS.

Passed July 10, 1905.

Be it ordained by the city council of the city of Chicago:

Section 1. That sections 70, 71 and 72 of article VIII. of the Revised Municipal Code of Chicago of 1905 be and the same hereby are amended so as to read as follows:

**"70. Bureau established.]** There is hereby established a bureau in the executive department, to be known as the bureau of statistics.

**71. City statistician—office created.]** There is hereby created the office of city statistician. He shall be appointed according to law, shall be the head of the bureau of statistics, and shall act as librarian of the municipal library. There shall be in said bureau an assistant city statistician and such other employes as the city council may by ordinance provide.

**72. Duties.]** It shall be the duty of the city statistician to col-

lect, compile and publish, whenever directed so to do by the city council or the mayor, statistics and information relating to the city of Chicago, and statistics relating to the municipalities. He shall keep on file all reports printed or published by the city, or any of its departments relating to the government, management or control of said city, or any of its departments, and shall perform such other duties as may from time to time be required of him by the mayor."

Section 2. This ordinance shall take effect from and after its passage.



APPENDIX  
TO  
THE REVISED  
MUNICIPAL CODE OF CHICAGO  
OF 1905

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CONTAINING ALL PROHIBITION AND LOCAL OPTION ORDINANCES  
IN FORCE MARCH 20, 1905; ALSO THE TRACK ELEVATION  
ORDINANCE OF FEBRUARY 23, 1893; ALSO CERTAIN  
MATERIAL PROVISIONS OF THE STATUTES OF  
THE STATE OF ILLINOIS RELATING TO  
MUNICIPAL GOVERNMENTS.



**APPENDIX**  
**TO THE REVISED**  
**MUNICIPAL CODE OF CHICAGO**  
**OF 1905**

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**CONTAINING ALL PROHIBITION AND LOCAL OPTION ORDINANCES IN FORCE MARCH 20, 1906;  
ALSO THE TRACK ELEVATION ORDINANCE OF FEBRUARY 23, 1893; ALSO OR-  
TAIN MATERIAL PROVISIONS OF THE STATUTES OF THE STATE  
OF ILLINOIS RELATING TO MUNICIPAL GOVERNMENTS.**

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**PROHIBITION DISTRICTS.**

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**WEST PULLMAN PROHIBITION DISTRICT.**

**Passed October 18, 1895.**

Be it ordained by the city council of the city of Chicago:

Section 1. That no license shall be hereafter issued to keep a saloon or dram shop within that portion of West Pullman, in the city of Chicago, described as follows, to wit: Commencing on the north line of One Hundred Twenty-third street, at the east line of the alley in block forty-eight, in West Pullman, being a subdivision in the northwest quarter and the west half of the northeast quarter of section twenty-eight, township thirty-seven north, range fourteen east of the third principal meridian; running thence north along the east line of the alley in said block forty-eight, and in blocks twenty-five, twenty-four and one, in said subdivision, to the north line of the east and west alley in said block one; thence west along the north line of said east and west alley, through said block one and blocks two, three, four, five, six, seven, eight and nine in said subdivision, and along said line, produced, to the west line of the north and south alley in block ten in the same subdivision; thence south along the west line of said

north and south alley in said block ten to a point opposite the south line of lot twenty in said block ten; thence east along the south line of said lot twenty, and along the south line of lots twenty-nine and twenty in block nine, and the south line of lot twenty-nine in block eight, in said subdivision, to the easterly line of the north and south alley in said block eight; thence south along the easterly line of the north and south alley in said block eight, and along the easterly line of the north and south alley in block seventeen in said subdivision, to a point opposite the south line of lot forty-three in said block seventeen; thence west along the south line of said lot forty-three in block seventeen and along the south line of lots four and forty-three in block sixteen, and along the north line of lot five in block fifteen, to the west line of the north and south alley in said block fifteen; thence south along the west line of said north and south alley in block fifteen, and along the west line of the north and south alley in block thirty-four to the east line of the right of way of the Pittsburgh, Chicago, Cincinnati & St. Louis Railroad; thence southeasterly along the easterly line of said right of way, to a point opposite the south line of lot thirty in block forty in said subdivision; thence east along the south line of said lot thirty and the south line of lot nineteen in said block forty to the west line of Wallace street; thence in a direct line to the southwest corner of lot thirty in block forty-one in said subdivision; thence east along the south line of lots thirty and nineteen in said block forty-one, and along the south line of lots thirty and nineteen in block forty-two to the west line of Butler street; thence south along the west line of Butler street to the north line of One Hundred Twenty-third street; thence east along the north line of One Hundred Twenty-third street to the place of beginning; all the said lines being intended to form continuous boundaries, and running across streets and alleys so as to form such continuous lines, whether so specified in the foregoing description or not.

Section 2. The territory lying within the boundaries above mentioned shall be deemed and known as a prohibition district, within which it shall not be lawful for any such license to be granted.

Section 3. This ordinance shall take effect from and after its passage.

PROHIBITION DISTRICT BOUNDED BY S. FORTIETH AV., HARRISON ST., S. FORTY-SIXTH AV. AND MADISON ST.

Passed July 27, 1896.

Be it ordained by the city council of the city of Chicago:

Section 1. That the mayor of the city of Chicago shall not grant a license for the keeping of a dram shop within that portion of the city of Chicago which is described as follows, to wit: Commenc-

ing at a point one hundred twenty-five feet west of the west line of South Fortieth avenue and one hundred twenty-five feet north of the north line of Harrison street; thence west parallel with the north line of Harrison street and one hundred twenty-five feet distant therefrom to a point one hundred twenty-five feet east of the east line of South Forty-sixth avenue; thence north parallel with the east line of South Forty-sixth avenue and one hundred twenty-five feet distant therefrom to a point one hundred twenty-five feet south of the south line of Madison street; thence east parallel with the south line of Madison street and one hundred twenty-five feet distant therefrom to a point one hundred twenty-five feet west of the west line of South Fortieth avenue; thence south parallel with South Fortieth avenue and one hundred twenty-five feet distant therefrom to the place of beginning.

Section 2. This ordinance shall be in force and effect from and after its passage.

NOTE: See following amendatory ordinance.

Passed November 15, 1897.

Be it ordained by the city council of the city of Chicago:

Section 1. That the ordinance entitled "Prohibiting the granting of licenses to keep dram shops in certain territory therein named," passed July 27th, 1896, be and the same is hereby repealed so far as the same pertains to Van Buren street, between West Fortieth and West Forty-second avenues.

Section 2. This ordinance shall be in force from and after its passage.

PROHIBITION DISTRICT BOUNDED BY W. DIVERSEY ST., N. SIXTY-SIXTH AV., W. NORTH AV., N. SEVENTY-SECOND AV.

Passed March 8, 1897.

Be it ordained by the city council of the city of Chicago:

Section 1. Within that portion of the city of Chicago, hereinafter in section two of this ordinance specified and defined, there shall not at any time hereafter be granted by the city of Chicago or any of its officers, any license to keep a saloon, or dram shop, or other place, for the purpose of the sale, barter or giving away of any vinous, malt, spirituous or fermented liquors.

Section 2. The territory in section one of this ordinance referred to and within which it is hereby made unlawful to maintain any place for the sale, barter or giving away of any vinous, malt, spirituous or fermented liquors, is bounded as follows:

Commencing at the intersection of North Seventy-second avenue and West Diversey street, east on West Diversey to North Sixty-sixth avenue (extended); south on North Sixty-sixth avenue extended

to West North avenue; west on West North avenue to North Seventy-second avenue; north on North Seventy-second avenue to point of commencement.

Section 3. This ordinance shall be in force and effect from and after its passage.

**PROHIBITION DISTRICT BOUNDED BY CULLOM AVENUE, CLARK STREET, IRVING PARK BOULEVARD AND A LINE PARALLEL WITH AND ONE HUNDRED FIFTY FEET DISTANT FROM THE WEST LINE OF CLARK STREET.**

Passed September 25, 1899.

Be it ordained by the city council of the city of Chicago:

Section 1. Within the territory described and specified in section two of this ordinance, no license shall at any time hereafter be granted by the city of Chicago, or any of its officers, to any corporation, person or persons to sell, barter or give away, or to keep any place for the sale or barter or giving away of any malt, fermented or spirituous liquors.

Section 2. The territory above referred to consists of a strip of ground of the approximate width of one hundred and fifty feet, southwesterly of and adjoining Clark street, extending from Cullom avenue to Irving Park boulevard, in said city of Chicago, and is more particularly described as bounded on the north by Cullom avenue, on its easterly side by Clark street, on the south by Irving Park boulevard, and on its westerly side by a line parallel with and one hundred fifty feet distant from the west line of Clark street.

Section 3. This ordinance shall be in force and effect from and after its passage.

**PROHIBITION DISTRICT BOUNDED BY WEST SUNNYSIDE AVENUE, NORTH FORTY-THIRD AVENUE, WEST CULLOM AVENUE AND NORTH FORTY-FIFTH AVENUE.**

Passed October 21, 1901.

Be it ordained by the city council of the city of Chicago:

Section 1. Within the territory described and bounded in section two of this ordinance, no license shall at any time hereafter be granted by the city of Chicago, or by any of its officers to any corporation, person or persons, to sell, barter or give away any malt, fermented or spirituous liquors, or keep any place for the sale, barter or giving away of any malt, fermented or spirituous liquors.

Section 2. The territory above referred to is located in the Twenty-seventh ward of the city of Chicago, in section fifteen, township forty north, range thirteen, east of the third principal meridian, and is more particularly described as being bounded on the north by

West Sunnyside avenue, on the east by North Forty-third avenue, on the south by west Cullom avenue, and on the west by North Forty-fifth avenue.

Section 3. This ordinance shall be in force and effect from and after its passage.

**PROHIBITION DISTRICT BOUNDED BY WESTERN AVENUE, SIXTY-FIFTH STREET, WOOD STREET, AND SEVENTY-FIFTH STREET.**

Passed March 18, 1902.

Be it ordained by the city council of the city of Chicago:

Section 1. That hereafter no license shall be granted or issued to keep a saloon or dram shop within that portion of the city of Chicago described as follows:

Beginning at a point one hundred twenty-five feet east of the east line of Western avenue in the center line of Seventy-fifth street, thence north along a line one hundred twenty-five feet east of the east line of Western avenue to a point made by the intersection of said line with the center line of Sixty-fifth street, thence east to the center line of Wood street, thence south on the center line of Wood street to the center line of Seventy-fifth street, thence west on the center line of Seventy-fifth street to the place of beginning, and the said territory shall be known and treated as a prohibition district within which it shall not be lawful for such license to be granted.

Section 2. This ordinance shall take effect and be in force from and after its passage.

**PROHIBITION DISTRICT BOUNDED BY IRVING PARK BOULEVARD, ROBEEY STREET, LEAVITT STREET, GRACE STREET AND WAVELAND AVENUE.**

Passed May 12, 1902.

Be it ordained by the city council of the city of Chicago:

Section 1. Within the territory designated in § 2 of this ordinance no license shall, at any time hereafter, be granted to any person or persons to keep a saloon, dram shop, or other place for the sale, exchange, giving away, or barter of any kind of alcoholic drinks.

Section 2. The territory referred to in § 1 hereof is bounded as follows, to wit: On the north by a line commencing in the center line of Irving Park boulevard, one hundred sixty-five feet west of the center line of Robey street and running west to the center line of Leavitt street; on the east by a line commencing in the center of Irving Park boulevard, one hundred sixty-five feet west of the center line of Robey street, running south to the center line of Grace street, thence east to the center line of Robey street, thence south to the center line of Waveland avenue, thence west to the center line of said Waveland

avenue to the center line of Leavitt street, thence north on the center line of said Leavitt street to the center line of Irving Park boulevard in the city of Chicago, county of Cook, and state of Illinois.

Section 3. This ordinance shall be in force and take effect from and after its passage.

PROHIBITION DISTRICT BOUNDED BY ARMITAGE AVE., NORTH FORTIETH AVE., WEST FULLERTON AVE., AND NORTH FORTY-SIXTH AVE.

Passed February 29, 1904.

Be it ordained by the city council of the city of Chicago:

Section 1. That no license shall be hereafter issued to keep a saloon or dram shop within that portion of the city of Chicago bounded as follows, to wit: Commencing at the northeast corner of Armitage avenue and North Fortieth avenue, and running thence northerly along the west line of North Fortieth avenue to the south line of West Fullerton avenue, thence west along the south line of West Fullerton avenue to the east line of North Forty-sixth avenue (now occupied by the Chicago and North Western Railway Company), thence south along the east line of North Forty-sixth avenue to the north line of Armitage avenue, thence east along the north line of Armitage avenue to the place of beginning, except as to buildings fronting on Armitage avenue or buildings fronting on West Fullerton avenue.

Section 2. The territory lying within the boundaries above mentioned shall be deemed and known as a prohibition district, within which it shall not be lawful for any such license to be granted, except as to buildings fronting upon Armitage avenue, or buildings fronting on West Fullerton avenue.

Section 3. This ordinance shall take effect from and after its passage.

PROHIBITION DISTRICT BOUNDED BY DIVISION STREET, NORTH KEDZIE AVE., NORTH CENTRAL PARK AVE., ETC.

Passed June 27, 1904.

Be it ordained by the city council of the city of Chicago:

Section 1. That no license shall hereafter be issued to keep a saloon or dram shop within that portion of the city of Chicago bounded as follows, to wit: Commencing at the center line of North Kedzie avenue at the point of intersection with a line one hundred and twenty-five (125) feet south of the south line of Division street; thence west along said south line to the center line of North Central Park avenue; thence north along the center line of said North Cen-



tral Park avenue to the center line of the east and west alley lying between Pierce avenue and North avenue; thence east along the center line of said alley to the center line of North Kedzie avenue; thence south along said center line of North Kedzie avenue to the place of beginning.

Section 2. The territory lying within the boundaries above mentioned shall be deemed and known as a prohibition district within which it shall not be lawful for any such license to be granted.

Section 3. This ordinance shall take effect from and after its passage.

PROHIBITION DISTRICT BOUNDED BY NORTH FORTY-SIXTH AVENUE, WEST FULLERTON AVENUE, NORTH FIFTY-SECOND AVENUE AND GRAND AND ARMITAGE AVENUES.

Passed December 19, 1904.

Be it ordained by the city council of the city of Chicago:

Section 1. That hereafter no license shall be issued for the keeping of a saloon or dram shop within that portion of the city of Chicago described and bounded as follows, to wit: Commencing at a point on the north line of West Armitage avenue one hundred and twenty-five (125) feet east of the east line of North Forty-sixth avenue, thence north on a line parallel with and one hundred and twenty-five (125) feet east of the east line of said North Forty-sixth avenue to the south line of West Fullerton avenue; thence west to the west line of North Forty-sixth avenue; thence south along the west line of said North Forty-sixth avenue one hundred and twenty-five (125) feet; thence west on a line parallel with and one hundred and twenty-five (125) feet south of the south line of West Fullerton avenue to the east of North Fifty-second avenue; thence north along the east line of North Fifty-second avenue to the south line of West Fullerton avenue; thence west along the south line of West Fullerton avenue to a point one hundred and twenty-five (125) feet west of the west line of North Fifty-second avenue; thence south on a line parallel with and one hundred and twenty-five (125) feet west of the west line of North Fifty-second avenue to the north line of Grand avenue; thence southeasterly along the said north line of Grand avenue to the east line of North Fifty-second avenue; thence north along the said east line of North Fifty-second avenue one hundred and twenty-five (125) feet; thence southerly and easterly on a line parallel with and one hundred and twenty-five (125) feet north of the north lines of Grand and Armitage avenues to the west line of North Forty-sixth avenue; thence south along the west line of North Forty-sixth avenue to the north line of Armitage avenue; thence east along the north line of said Armitage ave-

nue to the place of beginning, it being the intention by this ordinance to permit the licensing of dram shops or saloons to be kept in buildings fronting on Fullerton, Grand and Armitage avenues, but not in buildings fronting on North Forty-sixth or North Fifty-second avenues in the district above defined.

Section 2. The territory lying within the boundaries described in § 1 hereof shall be deemed and known as a Prohibition District, within which it shall not be lawful for any license to be granted to keep a saloon or dram shop.

Section 3. This ordinance shall take effect and be in force from and after its passage and approval.

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## LOCAL OPTION DISTRICTS.

LOCAL OPTION DISTRICT BOUNDED BY OAKWOODS CEMETERY, I. C. R. R., SIXTY-NINTH STREET AND SEVENTY-FIRST STREET.

Passed June 18, 1894.

Be it ordained by the city council of the city of Chicago:

That the mayor of the city of Chicago shall not grant a license for the keeping of a dram shop within that portion of the city of Chicago which is bounded on the west by Oakwoods cemetery, on the east by the Illinois Central railroad, on the north by a line running parallel with and at all points equally distant one hundred and twenty-five feet north from the north line of Sixty-ninth street and, on the south by a line running parallel with and at all points equally distant three hundred feet south from the south line of Seventy-first street, unless the person applying for the same shall apply to the mayor in writing, furnish sufficient evidence to satisfy the mayor that he or she is a person of good character, and execute to the city of Chicago a bond with at least two sureties, to be approved by the mayor, in the sum of five hundred dollars, conditioned that the licensed party shall faithfully observe and keep all ordinances now in force or hereafter to be passed during the period of such license, and that he or she will keep closed on Sunday all doors opening out upon any street from the bar or room where such dram shop is kept; and, that all windows opening upon any street from such bar or room shall, Sundays, be provided with blinds, shutters or curtains, so as to obstruct the view from such street into such room, and unless such person so applying shall present to the mayor, with his or her application, a petition signed by a majority of the legal voters of that portion of the city of Chicago hereinbefore defined and asking for the granting of such license.

**LOCAL OPTION DISTRICT BOUNDED BY CORNELL AV., I. C. R. R., LAKE MICHIGAN, FIFTY-SIXTH STREET.**

Passed June 18, 1894.

Be it ordained by the city council of the city of Chicago:

Section 1. That the mayor of the city of Chicago shall not grant a license for the keeping of a dram shop within that portion of the city of Chicago, which is bounded as follows, commencing at the northwest corner of Fifty-sixth street and Cornell avenue, and running thence northerly along the west line of Cornell avenue one hundred and sixty-four feet to the alley; thence west to the east line of the Illinois Central Railroad Company's right of way, thence northerly along the east line of said right of way to a point that intersects with the south line of block thirty-eight in Hyde Park, being a subdivision in sections eleven, twelve, and fourteen, in township thirty-eight north, range fourteen east of the third principal meridian, thence easterly in a direct line along the south lines of blocks thirty-eight, thirty-seven and thirty-six in said Hyde Park subdivision to the shore of lake Michigan, thence southerly along the shore of lake Michigan to the north line of Fifty-sixth street, thence westerly along the north line of Fifty-sixth street to the place of beginning; unless the person applying for the same shall present to the mayor, with his application, a petition signed by a majority of the legal voters residing in that portion of the city of Chicago hereinbefore defined asking that such license be granted.

**BUENA PARK LOCAL OPTION DISTRICT.**

Passed May 28, 1894.

Be it ordained by the city council of the city of Chicago:

That the mayor of the city of Chicago shall not grant a license for the keeping of a dram shop within that portion of the city of Chicago which is bounded on the west by Stella street, now occupied by the Chicago, Milwaukee and St. Paul Railway Company for its tracks, on the east by lake Michigan, on the north by a line running parallel with and at all points equally distant one hundred and twenty-five feet north from the north line of Montrose boulevard, formerly called Sulzer street, and on the south by a line running parallel with and at all points equally distant one hundred and twenty-five feet south from the south line of Sheridan road and Byron street as far west as the said Stella street, unless the person applying for the same shall apply to the mayor in writing, furnish sufficient evidence to satisfy the mayor that he or she is a person of good character and execute to the city of Chicago a bond, with at least two sureties to be

approved by the mayor, in the sum of five hundred dollars, conditioned that the licensed party shall faithfully observe and keep all ordinances now in force or hereafter to be passed, during the period of such license, and that he will keep closed on Sunday all doors opening out upon any street from the bar or room where such dram shop is kept, and, that all windows opening upon any street from such bar or room shall, Sundays, be provided with blinds, shutters or curtains, so as to obstruct the view from such street into such room; and unless such person so applying shall present to the mayor, with his application, a petition signed by a majority of the legal voters of that portion of the city of Chicago hereinbefore defined and asking for the granting of such license.

NOTE.—See following amendatory ordinances.

Passed June 18, 1894.

Be it ordained by the city council of the city of Chicago:

That the ordinance making a local option district of the territory known as Buena park, passed by the city council of the city of Chicago, May 28th, 1894, be amended so as to read as follows:

That the mayor of the city of Chicago shall not grant a license for the keeping of a dram shop within that portion of the city of Chicago which is bounded on the west by Stella street, now occupied by the Chicago, Milwaukee and St. Paul Railway Company for its tracks, and by the right of way of the Chicago, Milwaukee and St. Paul Railway Company, on the east by lake Michigan, on the north by Devon street and on the south by a line running parallel with and at all points equally distant one hundred and twenty-five feet south from the south line of Sheridan road and Byron street as far west as the said Stella street, unless the person applying for the same shall apply to the mayor in writing, furnish sufficient evidence to satisfy the mayor that he or she is a person of good character, and execute to the city of Chicago a bond with at least two sureties to be approved by the mayor, in the sum of five hundred dollars, conditioned that the licensed party shall faithfully observe and keep all ordinances now in force or hereafter to be passed during the period of such license, and that he will keep closed on Sunday all doors opening out upon any street from the bar or room where such dram shop is kept, and that all windows opening upon any street from such bar or room, shall, Sundays, be provided with blinds, shutters or curtains, so as to obstruct the view from such street into such room; and unless such person so applying shall present to the mayor, with his application, a petition signed by a majority of the legal voters of that portion of the city of Chicago hereinbefore defined and asking for the granting of such license.

NOTE: See following amendatory ordinance.

Passed July 27, 1896.

Be it ordained by the city council of the city of Chicago:

Section 1. That the ordinance making a local option district of the territory known as Buena park, passed by the city council of the city of Chicago on May 28th, 1894, and amended by an ordinance passed on June 18th, 1894, be further amended as follows: That the words "Devon street," wherever named or mentioned as the north line of said local option district be struck out, and that there be inserted in lieu thereof the words "Hayes avenue."

Section 2. This ordinance shall be in full force and effect from and after its passage.

LOCAL OPTION DISTRICT BOUNDED BY CLARK ST., LAKE VIEW, DIVERSEY AND FULLERTON AVENUES.

Passed March 8, 1895.

Be it ordained by the city council of the city of Chicago:

Section 1. That the mayor of the city of Chicago shall not grant a license for the keeping of a dram shop within that portion of the city of Chicago which is bounded on the west by the center line of Clark street, on the east by the center line of Lake View avenue, on the north by the center line of Diversey avenue, and on the south by the center line of Fullerton avenue, unless the person applying for the same shall apply to the mayor in writing, furnish sufficient evidence to satisfy the mayor that he or she is a person of good character, and execute to the city of Chicago, a bond with at least two sureties, to be approved by the mayor in the sum of five hundred dollars, conditioned that the licensed party shall faithfully observe and keep all ordinances now in force or hereafter to be passed during the period of such license, and that he will keep closed on Sunday all doors opening out upon any street from the bar or room where such dram shop is kept; and that all windows opening upon any street from such bar or room, shall, Sundays, be provided with blinds, shutters or curtains, so as to obstruct the view from such street into such room; and unless such person so applying shall present to the mayor, with his application, a petition signed by a majority of the legal voters of that portion of the city of Chicago hereinbefore defined and asking for the granting of such license.

Section 2. This ordinance shall be in force from and after its passage.

LOCAL OPTION DISTRICT BOUNDED BY THIRTY-FIFTH STREET, WESTERN AV., C. & A. R. R., AND CALIFORNIA AV.

Passed June 27, 1895.

Be it ordained by the city council of the city of Chicago:

Section 1. That the mayor of the city of Chicago shall not

grant a license for the keeping of a dram shop within that portion of the city of Chicago which is bounded on the north by the center line of Thirty-fifth street; on the east by the center line of Western avenue; on the south by the northern boundary line of the right of way of the Chicago & Alton Railroad Company, and on the west by the center line of California avenue, unless the person applying for the same shall apply to the mayor in writing, furnish sufficient evidence to satisfy the mayor that he or she is a person of good character, and execute to the city of Chicago a bond with at least two sureties, to be approved by the mayor in the sum of five hundred dollars, conditioned that the licensed party shall faithfully observe and keep all ordinances now in force or hereafter to be passed during the period of such license, and that he will keep closed on Sunday all doors opening out upon any street from the bar or room where such dram shop is kept; and that all windows opening upon any street from such bar or room shall, Sundays, be provided with blinds, shutters or curtains, so as to obstruct the view from such street into such room; and unless such person so applying shall present to the mayor, with his application, a petition signed by the majority of the legal voters of that portion of the city of Chicago hereinbefore defined and asking for the granting of such license.

Section 2. This ordinance shall be in force from and after its passage.

LOCAL OPTION DISTRICT BOUNDED BY BYRON ST., LAKE MICHIGAN, DIVERSEY AND EVANSTON AVENUES.

Passed June 27, 1895.

Be it ordained by the city council of the city of Chicago:

Section 1. That the mayor of the city of Chicago shall not grant a license for the keeping of a dram shop within that portion of the city of Chicago which is described as follows, to wit: That part bounded on the north by a line parallel to and distant one hundred and twenty-five feet south from the south line of Byron street; and bounded on the east by Lake Michigan; and bounded on the south by the center line of Diversey street; and bounded on the west by a line running in a northerly and westerly direction, and being parallel with, and one hundred and twenty-five feet distant easterly from the easterly line of Evanston avenue, excepting therefrom that part thereof south of the center line of Surf street, and east of the center line of Lake View avenue, unless the person applying for the same shall apply to the mayor in writing, furnish sufficient evidence to satisfy the mayor that he or she is a person of good character, and execute to the city of Chicago a bond with at least two sureties, to be approved by the mayor, in the sum of five hundred dollars, conditioned that the licensed party shall faithfully observe and keep all ordinances now in

#### LOCAL OPTION DISTRICTS.

force or hereafter to be passed during the period of such license, that he will keep closed on Sunday all doors opening out upon any street from the bar or room where such dram shop is kept; and that all windows opening upon any street from such bar or room shall, Sundays, be provided with blinds, shutters or curtains so as to obstruct the view from such street into such room; and unless such person so applying shall present to the mayor, with his application a petition signed by a majority of the legal voters of that portion of the city of Chicago hereinbefore defined and asking for the granting of such license.

Section 2. This ordinance shall be in force and effect after its passage.

#### LOCAL OPTION DISTRICT BOUNDED BY THIRTY-NINTH STREET, COTTAGE GROVE AV., LAKE MICHIGAN, AND N. LINE SECTION TWO, TOWNSHIP THIRTY-EIGHT NORTH

Passed July 15, 1895.

Be it ordained by the city council of the city of Chicago

Section 1. That the mayor of the city of Chicago grant a license for the keeping of a dram shop within the city of Chicago which is described as follows, to wit: bounded on the north by the north line of Thirty-ninth Cottage Grove avenue to the shore of lake Michigan, and by the north line of section two, township thirty-eight north, east of the third principal meridian, as the same line from its intersection with the north line of thirty-ninth Cottage Grove avenue to lake Michigan, unless the person applying for the same shall apply to the mayor in writing, furnish evidence to satisfy the mayor that he or she is a person of good character, and execute to the city of Chicago a bond with at least five hundred dollars, to be approved by the mayor, in the sum of five hundred dollars, conditioned that the licensed party shall faithfully observe all ordinances now in force or hereafter to be passed during the period of such license, and that he will keep closed on Sunday all doors opening out upon any street from the bar or room where such dram shop is kept; and that all windows opening upon any street from such bar or room shall, Sundays, be provided with blinds, shutters or curtains, so as to obstruct the view from such street into such room; and unless such person so applying shall present to the mayor, with his application, a petition signed by a majority of the legal voters of that portion of the city of Chicago hereinbefore defined and asking for the granting of such license.

Section 2. This ordinance shall be in force and effect after its passage.

LOCAL OPTION DISTRICT BOUNDED BY SOUTHPORT AV., C., M. & ST. P.  
R. R., ROSEMONT AND PETERSON AVENUES.

Passed March 1, 1897.

Be it ordained by the city council of the city of Chicago:

Section 1. That the mayor of the city of Chicago shall not grant a license for the keeping of a dram shop within that portion of the city of Chicago which is bounded on the west by Southport avenue, on the east by the Chicago, Milwaukee and St. Paul Railway tracks, on the north by Rosemont avenue, and on the south by Peterson avenue, unless the person applying for the same shall apply to the mayor in writing, furnishing sufficient evidence to satisfy the mayor that he or she is a person of good character, and execute to the city of Chicago a bond with at least two sureties, to be approved by the mayor, in the sum of five hundred dollars, conditioned that the licensed party shall faithfully observe and keep all ordinances now in force or hereafter to be passed during the period of such license, and that he will keep closed on Sundays all doors opening out upon any street from the bar or room where such dram shop is kept; and that all windows opening upon any street from such bar or room shall, Sundays, be provided with blinds, shutters or curtains, so as to obstruct the view from such street into such room; and unless such person so applying shall present to the mayor, with his application, a petition signed by a majority of the legal voters of that portion of the city of Chicago hereinbefore defined, and asking for the granting of such license.

Section 2. This ordinance shall be in force and effect from and after its passage.

LOCAL OPTION DISTRICT BOUNDED BY FIFTIETH STREET, FIFTY-FIRST  
STREET, COTTAGE GROVE AVENUE AND PRAIRIE AVENUE.

Passed June 22, 1903.

Be it ordained by the city council of the city of Chicago:

Section 1. That any person who shall desire to obtain or renew a saloon or dram shop license within the territory in the city of Chicago bounded by a line commencing at the intersection of the center line of Cottage Grove avenue and the center line of Fiftieth street; thence west on the center line of said street to the center line of Prairie avenue; thence south on the center line of Prairie avenue to the center line of Fifty-first street; thence east on the center line of said last named street to the center line of Cottage Grove avenue extended; thence north on the center line of said last named avenue to the place of beginning, shall, in addition to the requirements of all existing statutes and ordinances, including the ordinance of the village of



Hyde Park of April 4, 1889, governing the issuing of saloon licenses, present with his application for such license or renewal a petition in writing signed by a majority, according to frontage, of the owners in fee simple of the real property within said district or territory, and also a petition signed by a majority of the registered voters residing within said district or territory; and no license or renewal of any license to keep a saloon or dram shop within the district or territory so bounded as aforesaid shall hereafter be granted until the applicant therefor has complied with all the requirements of existing statutes and ordinances affecting the issue of licenses to keep dram shops, including said ordinance of April 4, 1889, and with the requirements of this ordinance.

Section 2. This ordinance shall take effect and be in force from and after its passage.

**LOCAL OPTION DISTRICT BOUNDED BY FOSTER, EVANSTON AND SEMINARY AVENUES.**

Passed December 14, 1903 and amended December 21, 1903.

Be it ordained by the city council of the city of Chicago:

Section 1. That the mayor of the city of Chicago shall not issue a license for the keeping of a dram shop within that portion of the city which is bounded as follows: "Beginning at the intersection of the south line of Foster avenue with the east line of Evanston avenue; thence south along the east line of Evanston avenue to Lawrence avenue; thence southeasterly along the said east line of Evanston avenue to the west line of the right of way of the Evanston line of the Chicago, Milwaukee and St. Paul Railroad Company; thence north along the west line of the right of way of said Chicago, Milwaukee and St. Paul Railroad Company to Foster avenue; thence east along the south line of Foster avenue to the place of beginning," unless the person applying for same shall apply to the mayor in writing, furnishing sufficient evidence to satisfy the mayor that he or she is a person of good character, and execute to the city of Chicago a bond in the penal sum of five hundred dollars (\$500.00), with at least two sureties to be approved by the mayor, conditioned, that the party licensed shall faithfully observe and keep all ordinances now in force or which may hereafter be passed during the period of such license, that he will keep closed on Sundays all doors opening out upon any street from the bar or room where such dram shop is kept, and that all windows opening upon any street from such bar or room shall on Sundays be provided with blinds, shutters or curtains, so as to obstruct the view from such street into such room; nor unless such person so applying shall present to the mayor with his application a petition signed by a majority of the legal voters of that portion of

the city of Chicago hereinbefore designated, asking for the granting of such license.

Section 2. This ordinance shall be in force from and after its passage and approval.

**LOCAL OPTION DISTRICT BOUNDED BY OAKLEY BOULEVARD, WEST HARRISON STREET, FLOURNOY STREET, ETC.**

**Passed June 6, 1904.**

Be it ordained by the city council of the city of Chicago:

Section 1. That the mayor of the city of Chicago shall not issue a license for the keeping of a dram shop within that portion of the city which is bounded as follows: Beginning at the intersection of the west line of Oakley boulevard with the south line of West Harrison street; thence southerly along the west line of Oakley boulevard to its intersection with the north line of Flornoy street; thence westerly along the north line of Flornoy street to its intersection with the west line of Claremont avenue; thence southerly along the west line of Claremont avenue to its intersection with the north line of West Taylor street; thence easterly along the north line of West Taylor street to its intersection with the east line of South Leavitt street; thence northerly along the east line of South Leavitt street to its intersection with the southeast line of DeKalb street; thence northeasterly along the southeast line of DeKalb street to its intersection with the north line of Flornoy street; thence westerly along the north line of Flornoy street to its intersection with the west line of South Leavitt street; thence northerly along the west line of South Leavitt street to its intersection with the south line of West Harrison street; thence westerly along the south line of West Harrison street to its intersection with the west line of Oakley boulevard, unless the person applying for same shall apply to the mayor in writing, furnishing sufficient evidence to satisfy the mayor that he or she is a person of good character, and execute to the city of Chicago a bond in the penal sum of five hundred dollars (\$500.00), with at least two sureties to be approved by the mayor, conditioned that the party licensed shall faithfully observe and keep all ordinances now in force or which may hereafter be passed during the period of such license, that he will keep closed on Sundays all doors opening out upon any street from the bar or room where such dram shop is kept, that all doors opening out upon any street from any saloon or bar room and all other doors opening out of any saloon or bar room shall be securely locked at the hour of one o'clock A. M., and shall be kept locked until the hour of five o'clock A. M., and that all window shades, blinds or screens in any saloon or bar room shall be raised, opened or removed at the hour of one o'clock A. M., and be kept raised,

opened or removed until the hour of five o'clock A. M., so that a free and unobstructed view of the bar and the interior of any such saloon or bar room shall be had from the street and exterior of such saloon or bar room; nor unless such person so applying shall present to the mayor with his application a petition signed by a majority of the legal voters of that portion of the city of Chicago hereinbefore designated, asking for the granting of such license.

Section 2. This ordinance shall be in force from and after its passage and approval.

LOCAL OPTION DISTRICT BOUNDED BY CLARK STREET, SUNNYSIDE AVENUE, DOVER STREET, AND MONTROSE BOULEVARD.

Passed July 1, 1904.

Be it ordained by the city council of the city of Chicago:

Section 1. That the mayor of the city of Chicago shall not grant a license for the keeping of a dram shop within that portion of the city of Chicago which is described as follows, to wit: Beginning at the intersection of the south line of Clark street with the north line of Montrose boulevard, thence north along the east line of Clark street to the intersection of the south line of Sunnyside avenue and Clark street, thence east along said south line of Sunnyside avenue to the intersection of Sunnyside avenue with the first alley east of Dover street, thence south along said alley to the intersection of said alley with Montrose boulevard, thence west along the north line of said Montrose boulevard to the place of beginning, unless the person applying for the same shall apply to the mayor in writing, furnishing sufficient evidence to satisfy the mayor that he or she is a person of good character, and shall execute to the city of Chicago a bond with at least two sureties to be approved by the mayor, in the sum of \$500, conditioned that the licensed party shall faithfully observe and keep all ordinances now in force or hereafter to be passed during the period of such license, and that he or she will keep closed on Sundays all doors opening upon any street from the bar or room where such dram shop is kept; and that all windows opening out upon any street from such bar or room, shall, on Sundays, be provided with blinds, shutters or curtains, so as to obstruct the view from such street into such room; and unless such person so applying shall present to the mayor with his or her application a petition signed by a majority of the legal voters of that portion of the city of Chicago hereinbefore defined, asking for the granting of said license.

Section 2. This ordinance shall be in force and effect from and after its passage.

LOCAL OPTION DISTRICT BOUNDED BY SIXTEENTH STREET, THE ALLEY BETWEEN MICHIGAN AND INDIANA AVENUES, TWENTY-FIRST STREET, PRAIRIE AVENUE, TWENTY-SECOND AND TWENTY-THIRD STREETS, ETC.

Passed December 5, 1904.

Be it ordained by the city council of the city of Chicago:

Section 1. No license shall be issued for the keeping of a dram shop at any place or point within the territory bounded by the lines described as follows, to wit: Beginning on the eastern boundary line of the city of Chicago at the intersection of a line one hundred feet north of and parallel to a prolongation of the north line of Sixteenth street, and running thence west to the center line of the north and south alley between Indiana avenue and Michigan avenue, thence south on the center line of said alley to a point one hundred and twenty feet south of the south line of Twenty-first street, thence east on a line parallel to and one hundred and twenty feet from said south line of Twenty-first street to a point two hundred and thirty feet west of the west line of Prairie avenue, thence south on a line parallel to and two hundred and thirty feet west of the said west line of Prairie avenue to a point one hundred and twenty feet south of the south line of Twenty-second street, thence east on a line parallel to and one hundred and twenty feet south of said south line of Twenty-second street to the center line of Prairie avenue, thence south on the center line of Prairie avenue to the center line of Twenty-third street, thence east on the center line of Twenty-third street, and a prolongation thereof to the eastern boundary line of the city, thence along said eastern boundary line to the place of beginning, unless the applicant therefor shall present with his application the written assents thereto of the owners of the land representing more than one half of the frontage on both sides of all streets or parts of streets in the territory bounded by the lines above described at the time said application is first presented.

Section 2. This ordinance shall be in force and effect from and after its passage.

LOCAL OPTION DISTRICT BOUNDED BY HARVARD, WEST POLK, KEDZIE AVE., HARRISON, FLOURNOY, DOUGLAS BOULEVARD, ETC.

Passed March 20, 1905.

Be it ordained by the city council of the city of Chicago:

Section 1. That no license shall be issued for the keeping of a dram shop within that portion of the city bounded as follows: Commencing at the intersection of the center line of the alley running east and west between Harvard street and west Polk street and the center

line of the first alley lying west of Kedzie avenue running north and south, running thence north along the center line of said alley to the center line of the alley running east and west between West Harrison street and Flournoy street, thence west along the center line of said alley to the east line of Douglas boulevard, thence south along the east line of Douglas boulevard to the center line of the alley running east and west between Polk street and Harvard street, thence east along the center line of said alley to the place of beginning unless the person desiring same shall apply to the mayor in writing, furnishing sufficient evidence to satisfy the mayor that he or she is a person of good character, and shall execute to the City of Chicago a bond in the penal sum of five hundred dollars (\$500.00), with at least two sureties to be approved by the mayor, conditioned that the party licensed shall faithfully observe and keep all ordinances now in force or which may hereafter be passed during the period of such license, and that he will keep closed on Sundays all doors opening out upon any street from the bar or room where such dram shop is kept, that all doors opening out upon any street from such saloon or barroom, and all other doors opening out of such saloon or bar room shall be securely locked at the hour of one o'clock A. M., and shall be kept locked until the hour of five o'clock A. M., and that all window shades, blinds or screens in such saloon or bar room shall be raised, opened or removed at the hour of one o'clock A. M., and be kept raised, opened or removed until the hour of five o'clock A. M., so that a free and unobstructed view of the bar and the interior of such saloon or barroom shall be had from the street and exterior of such saloon or barroom; nor unless such person so applying shall present to the mayor with his application a petition signed by a majority of the property owners according to frontage on both sides of the streets in the block upon which such saloon is to be kept, and shall also be signed by a majority of the legal voters of that portion of the city of Chicago hereinbefore designated asking for the granting of such license.

Section 2. This ordinance shall take effect and be in force from and after its passage and approval.

ORDINANCES REGULATING THE LIQUOR TRAFFIC  
PASSED BY MUNICIPALITIES NOW IN WHOLE OR  
IN PART ANNEXED TO THE CITY OF CHICAGO.

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Town of Cicero.

REVISED ORDINANCES OF THE TOWN OF CICERO.

Passed August 28, 1880.

CHAPTER V.

DRAM SHOPS.

Section 1. No application for a license to sell or give away fermented, malt, vinous or intoxicating liquors shall be granted unless the same shall be accompanied with a petition praying that a license to sell liquors be issued to the applicant and stating the exact locality where the applicant proposes to sell liquor and signed by a majority of the legal voters residing within one half mile of the proposed place where liquors are to be sold.

Section 2. No person shall be granted a license to sell or give away liquors without first giving a bond in the penal sum of three thousand (\$3,000) dollars payable to the people of the state of Illinois according to the provisions of an act of the General Assembly of the state of Illinois entitled "An Act to Provide for the Licensing of and Against the Evils Arising from the Sale of Intoxicating Liquors," in force July 1, 1874.

The bond to be approved by the board of trustees and filed in the office of the town clerk.

Section 3. No person shall be licensed to keep a saloon or sell intoxicating liquors without first paying to the town treasurer a license fee of fifty (\$50) dollars and giving in addition to the bond aforesaid a bond payable to the town of Cicero in the penal sum of five hundred (\$500) dollars, with at least two good and sufficient sureties to be approved by the board of trustees, conditioned that such applicant for a license and any and all persons in his employment or subject to his control shall comply with every and all resolutions, rules, regulations and ordinances of the board of trustees in force at the time of the approval of such bond or that may be adopted by said board during the continuance of such license which relate in any manner to the sale of intoxicating liquors or to the general peace and good government of the town.

Said bond shall be further conditioned that such applicant shall pay or cause to be paid all fines, penalties and costs which may be imposed upon him or his employe or any person under his control for

any violation or breach of any such resolution, rule, regulation or ordinance aforesaid.

Section 4. The president of the board is authorized to sign all licenses and the town clerk shall attest the same and affix the corporate seal thereto.

The license shall state the time for which it is granted, which shall not extend beyond the first day of July next following. It shall state the place where the saloon is to be kept and shall not be transferable.

Any license may be revoked by the board of trustees whenever said board shall be satisfied that the licensee has violated any of the rules, regulations, resolutions or ordinances of the town or keeps a disorderly or ill governed house or a place or resort for idle or dissolute persons or allows any illegal gaming in his saloon or in any building or place adjacent thereto.

The premises where such liquors shall be sold shall not be open from 12 o'clock on Saturday night until 12 o'clock Sunday night, and the same shall be closed every night at 12 o'clock and not opened again before 5 o'clock in the morning.

No vagrant, no keeper of a house of ill fame, no prostitute, no drunkard or disorderly person shall be allowed in or about the premises. No concert, exhibition, ball, dance, or play shall be allowed in or about the premises.

No concert, exhibition, ball, dance or play shall be given or performed in the same room where liquors are sold.

No ball alley or pin alley shall be kept in or about the premises without a license therefor from said board of trustees, whether in actual use or not.

No playing for money, liquor or anything else upon any table of any kind, or with cards or dice or pigeonholes or upon or with any article or with any thing shall be allowed.

In case the licensee shall sell or convey said premises he and his sureties shall be holden for a faithful and exact observance of all the conditions of the bond accompanying the license until such transfer made of it shall be duly recorded in the books of the town.

Any and all persons licensed under the ordinances of the said board of trustees for the sale of liquors shall immediately cause to be and remain posted up in some conspicuous part of the room or bar kept or used for such purpose his, her or their license.

All licenses issued in pursuance with the provision of this chapter shall recite the substance of this section.

Section 5. No person by himself, his agent or his servant shall sell or retail or give away any intoxicating, fermented, malt or vinous liquors within the town of Cicero without having first obtained a license therefor and complied with the provisions of this ordinance.

Section 6. The provisions of this ordinance shall not apply to  
CHIC. CODE.—47.

the selling of any intoxicating liquors by any apothecary or druggist in said town for medical, mechanical, sacramental or chemical purposes.

Section 7. In all prosecutions under this chapter it shall not be necessary to state the kind of liquor sold or to describe the place where sold, nor to show the knowledge of the principal to convict for the acts of an agent or servant.

Section 8. Any person violating any paragraph, clause or provision of this chapter shall be subject to a penalty not exceeding one hundred (\$100) dollars or imprisonment not exceeding thirty days or both, in the discretion of the magistrate or court before which conviction may be had, and in addition thereto his license, if he has one, may be revoked, as hereinbefore provided.

**AN ORDINANCE PROHIBITING THE ISSUANCE OF DRAM SHOP LICENSES  
IN THE TOWN OF CICERO.**

Passed June 26, 1889.

Be it Ordained by the Board of Trustees of the town of Cicero, in Meeting Assembled:

Section 1. That no person, by himself, his agent or his servant shall sell any intoxicating, fermented, malt or vinous liquors within the town of Cicero.

Section 2. That the provisions of this ordinance shall not apply to the selling of any intoxicating liquors by any apothecary or druggist in said town for medical, mechanical, sacramental and chemical purposes.

Section 3. That any person violating any paragraph, clause or provision of this ordinance shall be subject to a penalty not exceeding one hundred dollars or imprisonment not exceeding thirty days or both in the discretion of the magistrate or court before which conviction may be had and in addition thereto his license if he has one may be revoked as hereinbefore provided.

Section 4. That hereafter no license shall be issued to any person to keep a dram shop or to sell or retail any intoxicating, fermented, malt, or vinous liquors within the town of Cicero.

Section 5. That chapter five of the revised ordinances of said town and all amendments thereto be and the same are hereby repealed: Provided that this repeal shall not effect any liability or right now existing under said section five, but the same shall be in force to the extent and for the purpose of enforcing any such liability.

Section 6. This ordinance shall take effect and be in force from and after July 1st, 1889.



**RESOLUTION AMENDING THE TIME WHEN ABOVE ORDINANCE BECAME EFFECTIVE.**

Passed June 29, 1889.

Resolved, That section six of an ordinance passed June 26, 1889, prohibiting the issuing of any license to keep a dram shop, etc., be and the same is amended so as to read as follows:

Section 6. This ordinance shall take effect and be in force from and after June 29, 1889.

**REVISED ORDINANCES OF THE TOWN OF CICERO.**

Passed April 10, 1897.

**CHAPTER XXXV.****DRAM SHOPS.**

- 311. § 1. Sales of intoxicants prohibited; license district bounded.
- 312. § 2. License; fees; bond.
- 313. § 3. License, what to contain; expiration.
- 314. § 4. Time of opening and closing; closed on Sunday.
- 315. § 5. Bond for compliance with ordinance.
- 316. § 6. Licenses signed by president and attested by clerk; revocation; bowling alleys; billiard tables; gambling.
- 317. § 7. Violation; penalty.

311. Section 1. That no person by himself, his agent or his servant, shall sell or give away any intoxicating, fermented, malt or vinous liquors nor any liquor or beverage containing alcohol within the town of Cicero; Provided, that the provisions of this ordinance shall not apply to the selling of any intoxicating liquors by any apothecary or druggist in said town for medical, mechanical, sacramental or chemical purposes; and provided further, that in the district and territory in said town of Cicero, described and bounded as follows, to-wit: on the north by the center of Ogden avenue, on the west by the center of Robinson avenue, on the south by the south line of the town of Cicero, and on the east by the east line of said town, the board of trustees, upon the written application to them of the persons desiring the same, shall grant to any person of good moral character a license to keep a dram shop, subject to the conditions of this ordinance, within such last described district, which district is herein and hereby designated as a license district, and the balance and remainder of said town of Cicero shall be known and treated as a prohibited district and territory, within which it shall not be lawful for any such license or licenses to be granted.

312. Section 2. Every applicant for such dram shop license within such district shall first pay to the town clerk for a license fee

for the use of said town, the sum of two hundred and fifty dollars for the term of three months or less, or five hundred dollars for a term exceeding three months and not exceeding six months, or seven hundred and fifty dollars for a term exceeding six months, and not exceeding nine months, and one thousand dollars for a term exceeding nine months and not exceeding one year; and every such applicant shall file with said town clerk a bond, to be approved by the board of trustees of said town, such bond to be in the penal sum of three thousand dollars as provided in section five of an act of the general assembly of this state entitled "An Act to provide for the licensing of and against the evils arising from the sale of intoxicating liquors," approved March 30, 1874, in force July 1, 1874.

313. Section 3. Such license shall state the time for which it is granted; it shall not extend beyond the thirtieth day of June next following the date of its issue, and shall expire in all cases on some one of the following dates: March thirty-first, June thirtieth, September thirtieth, December thirty-first. All such licenses shall state the place where the dram shop is to be kept, and shall not be transferable.

314. Section 4. The premises where such dram shop is to be kept shall not be opened from twelve o'clock on any Saturday night of any week until five o'clock of the following Monday morning, and the same shall be closed every night at twelve o'clock, and shall not be opened again before five o'clock of the following morning.

315. Section 5. No person shall be licensed to keep a saloon or to sell intoxicating liquors within such license district without first giving to the board of trustees of said town of Cicero, in addition to the bond aforesaid, a bond payable to the town of Cicero, in the penal sum of five hundred dollars, with at least two good and sufficient sureties to be approved by the board of trustees, conditioned that such applicant for a license, and any and all persons in his employment, or subject to his control, shall comply with every and all resolutions, rules, regulations and ordinances of the board of trustees in force at the time of the approval of such bond, or that may be adopted by said board during the continuance of such license, which relate in any manner to the sale of intoxicating liquors, or to the general peace and good government of the town. Said bonds shall be further conditioned that such applicant shall pay, or cause to be paid all fines, penalties and costs which may be imposed upon him, or his employe or employees, servant or servants, agent or agents, or any other person or persons under his control, for any violation or breach of any such resolution, rule, regulation, or ordinance aforesaid.

316. Section 6. The president of the town of Cicero is authorized to sign all licenses, and the town clerk shall attest the same, and affix the corporate seal thereto.

Any license may be revoked by the board of trustees whenever said board shall be satisfied that the licensee has violated any of the rules, regulations, resolutions or ordinances of the town or keeps a disorderly or ill-governed house, or place of resort for idle or dissolute persons, or allowing any gaming in his saloon or in any building or place adjacent thereto.

No bowling alley or billiard table or pool table shall be kept in or about the premises, without a license therefor from said board of trustees, whether in actual use or not.

No playing for money, liquor or anything else upon any table of any kind, or with cards, or dice, or pigeon-holes, or upon or with any article, or with anything, shall be allowed in or about the premises.

Any and all persons licensed under this ordinance shall immediately cause to be and remain posted up in some conspicuous part of the room or bar kept or used for such purpose, his, her or their license issued hereunder.

No person, by himself, his agent or his servant, shall sell or retail or give away, any intoxicating, fermented, malt or vinous liquor within said license district, without having first obtained a license therefor, and complied with the provisions of this ordinance.

In prosecutions under this ordinance, it shall not be necessary to state the kind of liquor sold nor to describe the place where sold, nor to show the knowledge of the principal, to convict for the acts of any agent, servant or employee.

317. Section 7. Any person violating any paragraph, clause or provision of this chapter, shall be subject to a penalty of not less than twenty-five dollars nor more than one hundred dollars for each offense; and in addition thereto, his license, if he have one, may be revoked, as hereinbefore provided.

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### Village of Fernwood.

#### FERNWOOD PROHIBITION DISTRICT.

Passed and approved October 7, 1890.

Be it ordained by the president and board of trustees of the village of Fernwood:

Section 1. That the territory included within the limits of the village of Fernwood, shall be and the same is hereby declared to be a prohibition district.

Section 2. That it shall be unlawful to open or maintain or cause to be opened or maintained, any saloon, dram shop, or other place for the purpose of selling, giving away or dealing in, in any manner, any intoxicating, malt, vinous, mixed or fermented liquors.

Section 3. Any person convicted of disobeying section two of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof, before any court of competent jurisdiction, shall be liable to a fine of not less than twenty-five dollars and not more than one hundred dollars, for each and every day such saloon, dram shop or other place for the sale, dealing in or giving away, such intoxicating, malt, vinous, mixed or fermented liquors is so kept open or maintained.

Section 4. No license shall hereafter be granted at any time, to any person or persons, for the purpose of opening or maintaining any such establishment as is above provided against.

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### Village of Hyde Park.

#### REVISED MUNICIPAL CODE OF THE VILLAGE OF HYDE PARK.

Passed and approved March 28, 1887.

#### CHAPTER XV.

##### DRAM SHOPS.

1. License required.
2. Dram shop or saloon.
3. Keeper to be licensed.
4. Liquor or beer wagon.
5. Keeper to be licensed.
6. Licenses, by whom granted.
7. Contents of license.
- 8 and 9. Bonds to be given.
10. Fee to be paid.
11. Selling or giving to minor, etc.
12. Places not licensed a nuisance.
13. Sale during elections.
14. Sale at unlicensed place—Penalty.
15. License to be posted.
16. Saloon, when to be closed.
17. Apothecary, druggist, etc.
18. Attempt to evade.
19. Evidence in prosecutions.
20. Penalty.
21. Territory restricted.

130. Section 1. The selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor in quantities less than four gallons in any one package, except by persons duly licensed in accordance with the provisions of this ordinance, is hereby prohibited.

131. Section 2. A dram shop or saloon is a place where spirits or vinous or malt liquors are retailed in less quantities than one gallon, and intoxicating liquor shall be deemed to include all such liquors within the meaning of this ordinance.

132. Section 3. No person without a license to keep a dram shop or saloon, shall, by himself or another, either as principal, agent, clerk or servant, directly or indirectly, sell or give away any intoxicating liquor in any less quantity than one gallon, or in any quantity, to be drank upon the premises or in or upon any adjacent room, building, yard, premises or upon any highway, park, public water or place of public resort.

133. Section 4. A liquor or beer wagon is a conveyance from which any intoxicating, malt, vinous, spirituous, mixed or fermented liquor is sold, given away or delivered in quantities less than four gallons in any one package, to persons residing or being within the limits of Hyde Park.

134. Section 5. No person without a license to keep or maintain a liquor or beer wagon, shall by himself or another, either as principal, agent, clerk or servant, directly or indirectly, sell or give away or deliver any intoxicating liquor in any less quantity than four gallons, by, from or with any liquor or beer wagon, or employ, control, manage or use any conveyance for such purpose.

135. Section 6. The president and board of trustees, by resolution, may grant licenses to keep so many dram shops, saloons, or beer wagons in the village of Hyde Park, outside of prohibited districts, as they may think the public good requires; but they expressly reserve the power to revoke any license at their discretion; and whenever revoked for any violation of the laws of the United States or the State of Illinois or ordinance of the village of Hyde Park, whether passed before or after the date of such license, the license fee shall be forfeited to the village of Hyde Park.

136. Section 7. The president of the board of trustees is authorized to issue licenses according to the resolution provided in section six, and such licenses shall be signed by him and attested by the hand of the village clerk, and be under the corporate seal of the village. The license shall state the time for which it is granted, which shall not extend beyond the municipal year in which it shall be granted, and the place where the dram shop or saloon is to be kept; it shall not be transferable; the licensee shall not keep nor in any way be interested in any saloon or dram shop at more than one place at the same time. The license shall state the name of the driver or custodian and the owner of each liquor or beer wagon, and any license granted will at any time be revoked by the president and board of trustees whenever they shall be satisfied that the person licensed has violated any of the provisions of this ordinance, or keeps a disorderly or ill-governed house or a place of resort for idle or dissolute persons, or allows any illegal gaming in his dram shop or saloon or in any place adjacent thereto.

137. Section 8. No person shall be licensed to keep a dram

shop, saloon or liquor or beer wagon, or to sell intoxicating liquor, without first giving bond in the sum of three thousand dollars, to be approved by the board of trustees, payable to the people of the State of Illinois, as required by chapter forty-three of the Revised Statutes of Illinois, entitled "Dram Shops."

138. Section 9. No person shall be licensed to keep a saloon, dram shop, or liquor or beer wagon, or sell intoxicating liquor, without first giving, in addition to the bond aforesaid, a bond payable to the village of Hyde Park, with at least two good and sufficient sureties, freeholders of Cook county, Illinois, to be approved by the board of trustees, in the penal sum of five hundred dollars; which bond shall be void upon the condition that such applicant for license, and any and all persons in his employment, or subject to his control, shall comply with every and all resolutions, rules, regulations and ordinances of said president and board of trustees, in force during the continuance of such license, which relate in any manner to the subject-matter of this chapter, or to the general peace and good conduct of the inhabitants of said village of Hyde Park; and further, shall pay any and all fines and costs which may be imposed upon any such licensee, his employe, or any person under his control, by any police magistrate, justice of the peace, or court of competent jurisdiction, for any violation or breach of any such resolution, regulation or ordinance, as aforesaid.

139. Section 10. No person shall receive a license to keep or maintain a dram shop, saloon, or liquor or beer wagon, within the limits of the village of Hyde Park, except upon the payment in advance to the comptroller of the village, to be by him paid into the village treasury, of a sum at the rate of five hundred dollars per annum, for each dram shop, saloon, liquor or beer wagon.

140. Section 11. No person, by himself, his agent or servant, shall sell or give intoxicating liquor to any minor, insane, idiotic or distracted person, without the written order of his parent, guardian, conservator or family physician; or to any person intoxicated, or who is in the habit of getting intoxicated.

141. Section 12. All places where intoxicating liquor is sold in violation of any provision of this ordinance, shall be taken, held and are declared to be common nuisances; and all rooms, taverns, eating houses, bazaars, restaurants, drug stores, groceries, coffee houses, liquor or beer wagons, cellars, or other places of public resort, where intoxicating liquors are sold in violation of any provision of this ordinance, shall be deemed public nuisances, and no person shall keep any such place, as aforesaid, by himself, his agent, or servant; and the same may be abated, as provided in this chapter.

142. Section 13. No intoxicating liquor shall be sold at retail or given away, nor shall any saloon be open, upon any general or spe-

cial election day, within one mile of the place of holding an election, until after the polls are closed.

143. Section 14. No person shall hereafter, by himself, his agent or servant, solicit, ask or take any order, from any person or persons within said village, for the sale or delivery of any spirituous or vinous or malt liquors, in quantities less than one gallon, at any other place than that named in such person's license, or sell, offer for sale or deliver any such spirituous or vinous or malt liquors at any other place than that named in his license, within the village of Hyde Park, under a penalty of not less than fifteen dollars nor more than two hundred dollars for each offense.

144. Section 15. Any and all persons licensed under this ordinance or any other ordinance for the sale of liquors shall immediately cause to be and remain posted upon some conspicuous part of the room or bar, or liquor or beer wagon kept or used for such purpose, his or their license.

145. Section 16. No person shall keep open a saloon after twelve o'clock p. m. nor during any of the hours succeeding until five o'clock a. m. No person or persons shall be allowed to give any concert or entertainment in any licensed saloon or in any place, the entrance of which shall be through a saloon or grocery within the village of Hyde Park without special permit from the president and board of trustees. Any person or persons violating any provision of this section shall be fined in a sum not less than twenty-five dollars nor more than one hundred dollars, and shall have his or her license revoked in the discretion of the president and board of trustees.

146. Section 17. The provisions of this ordinance shall not apply to the selling and giving away of any kind of intoxicating liquors by any apothecary, druggist, or pharmacist in said village, his agents, clerks or servants, for medicinal, mechanical, sacramental and chemical purposes only. Provided, that such apothecary, druggist or pharmacist shall have been granted a permit for the sale of liquors for such purposes. Such permit shall be granted only upon application in writing to the board of trustees of said village, and shall be issued in the manner and subject to the conditions provided by ordinance for issuing other than liquor licenses in the village of Hyde Park. Such permit shall authorize such apothecary, druggist or pharmacist to sell liquor for medicinal, mechanical, sacramental and chemical purposes only, and not to be drank upon the premises under any circumstances. Every such apothecary, druggist and pharmacist shall keep a record, in a book which he shall provide for the purpose, of all sales of intoxicating liquors made by him to all persons whomsoever, which record shall show the date of each sale, the name and address of the purchaser, the quantity and kind of liquor, and the purpose for which the same was sold; which book shall be open to the

inspection of the police, any member of the board of trustees, and all officers of the law department of said village, at any and all times during business hours.

147. Section 18. The giving away of intoxicating liquor, or other shift or device to evade the provisions of this ordinance, shall be held to be an unlawful selling.

148. Section 19. In all prosecutions under this ordinance it shall not be necessary to state the kind of liquor sold, or to describe the place where sold, or to show the knowledge of the principal to convict for the acts of an agent or servant, and in all cases the person to whom intoxicating liquor shall be sold in violation of any provision of this chapter, shall be a competent witness.

149. Section 20. Any person violating any clause, section or provision of this chapter shall be subject to a penalty not less than five dollars nor more than two hundred dollars for each offense, and be subject to have his license revoked, as provided in section three.

150. Section 21. Hereafter no license shall be issued to keep a saloon or dram shop within the territory described and bounded as follows, to wit: Commencing at the northeast corner of the village of Hyde Park, thence west along the north line of said village to a point two hundred feet east of the east line of State street; thence south and parallel with State street to the center of Fiftieth street; thence east from a point in center of Fiftieth street two hundred feet east of State street to center of Cottage Grove avenue; thence south along center line of Cottage Grove avenue to center of Sixty-seventh street; thence east along center line of Sixty-seventh to the center line of Stony Island avenue; thence north along the center of Stony Island avenue to center line of Fifty-sixth street; thence west on center line of Fifty-sixth street to a point one hundred and twenty-five feet east of east line of Jefferson avenue; thence north, parallel to Jefferson avenue, to the center of Fifty-fourth place; thence east to Lake Michigan; thence northwesterly along the shore of Lake Michigan to the point of beginning.

And also commencing at the intersection of Seventy-first street and South Chicago avenue; thence south-easterly along the center line of South Chicago avenue to the center of Greenwood avenue; thence south along the center of Greenwood avenue to the center of Seventy-fifth street; thence west along the center of Seventy-fifth street to the center of Summit street; thence north along the center of Summit street to the center of Seventy-first street; thence east along the center of Seventy-first street to place of beginning.

Also commencing at the intersection of Seventy-first street and St. Lawrence avenue, thence north along the center line of St. Lawrence avenue to the center of Sixty-seventh street; thence west along the center line of Sixty-seventh street to the center of South Park ave-



nue; thence south along the center line of South Park avenue to the center of Seventy-first street; thence east along the center line of Seventy-first street to the place of beginning.

Also the territory described and bounded as follows, to wit: Commencing at the center line of intersection of Sixty-seventh street and Lake Michigan, thence west to a line one hundred and fifty feet west of Jeffery avenue; thence along said line one hundred and fifty feet west of and parallel with North Jeffery avenue to center line of Eighty-third street; thence east on Eighty-third to Lake Michigan; thence along said lake to the place of beginning, except that piece of land enclosed and known as the World's Pastime Exposition Grounds.

Also the territory bounded on the north by Seventy-first street, on the south by Seventy-fifth street, on the west by Woodlawn avenue, and on the east by Jeffery avenue. The said territory shall be known and treated as prohibited districts, within which it shall not be lawful for such licenses to be granted.

#### ORDINANCE GOVERNING THE ISSUING OF SALOON LICENSES.

Passed and approved April 4, 1889.

Be it ordained by the president and board of trustees of the village of Hyde Park..

Section 1. Any person who shall desire to obtain a license to keep a saloon or dram shop shall in addition to the requirements now provided by ordinance, present his application in writing to the village comptroller for such license, in which shall be stated the name of the person or firm, to whom the license is to be issued and the place where such saloon or dram shop is to be kept, which application shall be signed by a majority of the property owners, according to frontage, on both sides of the street in the block in which such dram shop is to be kept and shall also be signed by a majority of the bona fide householders and persons or firms living in, or doing business on each side of the street in the block upon which such dram shop shall have its main entrance; Provided, however, that any person or firm who shall have made application as aforesaid, and received a license to keep a dram shop shall not be required to present an application as above, in order to obtain a renewal of the license, to himself or firm unless at least one-quarter of the property owners or bona fide householders, persons and firms doing business upon both sides of the street in the block upon which the said dram shop has its main entrance, shall file with the village comptroller at least thirty days prior to the time for the renewal of such license, a notice stating that the signers thereof object to the granting or renewing of the license to said person or firm. Upon receiving such notice the village comptroller shall notify the captain of police that such notice has been filed and the captain of police

shall at once notify, or cause to be notified the holder or holders of the license; but a failure to give such notification shall not be construed as a waiver of the necessity for filing the application as provided above.

ORDINANCE AMENDING SECTIONS FIVE, SIX, AND TEN OF CHAPTER XV. OF THE REVISED MUNICIPAL CODE RELATING TO "DRAM SHOPS."

Passed and approved May 8, 1889.

Be it ordained by the president and board of trustees of the village of Hyde Park:

Section 1. That Sections five, six and ten of chapter XV. of an ordinance entitled "The municipal code of the village of Hyde Park" approved by the president of the board of trustees the 28th day of March A. D. 1887, be and they are hereby amended so as to read as follows:

"Section 5. No person shall by himself or another, either as principal, agent, clerk, servant or employe, directly or indirectly sell or give away, or deliver any spirituous, vinous or malt liquor in any less quantity than four gallons in any one package, to any one at any place other than at a regularly licensed saloon or dram shop, or from or with any liquor, beer or express wagon, or employ, control, manage or use any conveyance for such purpose; and hereafter no license shall be granted to keep or maintain any liquor or beer wagon within the village of Hyde Park. Any person violating any provision of this section shall upon conviction be fined not less than twenty dollars nor more than two hundred dollars for each offense."

"Section 6. The president and board of trustees, by resolution, may grant licenses to keep so many dram shops or saloons in the village of Hyde Park, outside of prohibited districts, as they may deem proper; but they expressly reserve the power to revoke any license at their discretion, and when so revoked may declare the license fee forfeited to the village of Hyde Park."

"Section 10. No person shall receive a license to keep or maintain a dram shop or saloon within the limits of the village of Hyde Park except upon payment, in advance to the village comptroller, to be by him paid into the village treasury, of a sum at the rate of five hundred dollars per annum, for each dram shop or saloon, payable in three equal installments on the first day of April, August and December of each fiscal year.

"Every license so granted, unless sooner revoked, shall expire with the end of the current fiscal year. Such license shall be dated as of the day of application, and no person shall be deemed to be duly licensed to whom a license has not been actually issued as herein provided."

Section 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**ORDINANCE TO ESTABLISH LICENSE FEES FOR RUNNING BEER WAGONS  
IN THE VILLAGE OF HYDE PARK.**

Passed and approved June 21, 1889.

Be it ordained by the president and board of trustees of the village of Hyde Park:

That section five of the Revised Municipal Code relating to dram shops, as amended be and the same is hereby amended so as to read as follows:

Section 5. No person shall by himself or another, either as principal, agent, clerk, servant, or employe, directly or indirectly, sell or give away or deliver, any spirituous, vinous, or malt liquor, in any less quantity than four gallons in any one package, to any one, at any place other than a regularly licensed saloon or dram shop, or from or with any liquor, beer or express wagon or employ, control, manage or use any conveyance for such purpose except as hereinafter provided: and hereafter no license shall be granted to keep, use or maintain any liquor or beer wagon within the village of Hyde Park except as herein provided. Delivery wagons may be licensed to deliver beer or other liquors in quantities of not less than one gallon in one package to one person, and for no other purpose, upon application and the payment of a sum at the rate of five hundred dollars per annum for each delivery wagon, payable in three equal installments, on the first day of April, August and December of each year, and no wagon without such license shall be used for the purpose of delivering any spirituous, vinous or malt liquor at any place other than at a regularly licensed saloon or dram shop.

Any person violating any provision of this section shall, upon conviction, be fined not less than twenty dollars nor more than two hundred dollars for each offense.

**STATE STREET PROHIBITION DISTRICT.**

Passed and approved June 5, 1888.

Be it ordained by the president and board of trustees of the village of Hyde Park:

Section 1. Hereafter no license shall be issued to keep a saloon or dram shop within the territory bounded as follows: Commencing at a point in the center line of Fifty-fourth street two hundred and eleven feet east of the center line of State street, thence east along the center line of Fifty-fourth street to the center line of South Park avenue; thence south along the center line of South Park avenue to

the center line of Sixty-third street; thence west along the center line of Sixty-third street to a point two hundred and eleven feet east of the center line of State street; thence north and parallel with the center line of State street to the place of beginning.

**BURNSIDE PROHIBITION DISTRICT.**

Passed and approved November 5, 1888.

Be it ordained by the president and board of trustees of the village of Hyde Park:

Section 1. That hereafter no license shall be issued to keep a saloon or dram shop within the territory described and bounded as follows, to wit: Commencing at the intersection of St. Lawrence avenue and Ninety-third street, thence east along Ninety-third street to the center line of the right of way of the Illinois Central Railroad Company; thence southerly along the center line of such right of way to Ninety-fifth street, thence west along Ninety-fifth street to St. Lawrence avenue, thence north along St. Lawrence avenue to the place of beginning; and the said territory shall be known and treated as a prohibited district within which it shall not be lawful for such licenses to be granted.

NOTE: As the result of an election held April 1, 1902, in the Burnside Prohibition District, licenses for dramshops in said district are now issued in accordance with the provisions of the general ordinances of the city of Chicago governing the liquor traffic.

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**Village of Jefferson.**

**PROHIBITION DISTRICT BOUNDED BY DIVERSEY, WESTERN, CALIFORNIA  
AND FULLERTON AVENUES.**

Passed and approved June 27, 1888.

Be it ordained by the president and board of trustees of the village of Jefferson:

Section 1. That the keeping of a saloon or dram shop and the granting of licenses for such purpose, are hereby prohibited within the territory described and bounded as follows, to wit: Commencing at a point in the center of Diversey avenue one hundred and sixty-six feet west of the center line of Western avenue, thence west along the center line of said Diversey avenue to the center of California avenue, thence south along the center line of California avenue to a point two hundred feet north of the center line of Fullerton avenue, thence east and parallel with Fullerton avenue to a point one hundred and

sixty-six feet west of the center line of Western avenue, thence north and parallel with Western avenue to the point of beginning.

Section 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

PROHIBITION DISTRICT BOUNDED BY MONTROSE, ELSTON, WARNER,  
MILWAUKEE AVE., ETC.

Passed May 29, 1889.

Be it ordained by the president and board of trustees of the village of Jefferson:

Section 1. That the keeping of a saloon or dram shop and the granting of licenses for such purpose are hereby prohibited within the territory described and bounded as follows, to wit:

Commencing at a point in the center of Montrose boulevard, two hundred feet east of the center line of Jefferson avenue, thence east along the center line of said Montrose boulevard to a point two hundred feet west of the center line of Elston avenue; thence southeasterly on a line parallel to and two hundred feet west of the center line of said Elston avenue to a point two hundred feet south of the center line of Warner avenue; thence west on a line two hundred feet south of the center line of said Warner avenue and parallel thereto, to a point two hundred feet east of the center line of Milwaukee avenue; thence northwesterly on a line parallel to and two hundred feet east of the center line of said Milwaukee avenue to a point two hundred feet east of the center line of Jefferson avenue; thence north on a line two hundred feet east of the center line of and parallel to said Jefferson avenue to the place of beginning.

Section 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

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### Town of Lake.

#### REVISED ORDINANCES, TOWN OF LAKE.

Passed April 3, 1889. In force June 1, 1889.

#### CHAPTER LVII.

#### SALOONS AND LIQUOR TRAFFIC.

Section 1. The board of trustees shall, from time to time, grant licenses for the sale of spirituous, vinous and fermented liquors to any person who shall apply to them, in writing, as provided in section

fourteen of this chapter, upon said person furnishing sufficient evidence to satisfy them that he or she is a person of good character, and upon such person executing to the town of Lake a bond with at least two sureties, to be approved by the board, in the penal sum of five hundred dollars, conditional that the licensed party shall faithfully observe and keep all ordinances now in force, or hereafter to be passed, during the period of such license, and that he will keep closed on Sundays all doors opening out upon any street from the bar or room where such liquors are sold, and that all windows opening upon any street from such bar or room where such liquors are sold shall be on Sundays provided with blinds, shutters or curtains, so as to obstruct the view from such streets into such rooms.

Section 2. Every person on compliance with these requirements, and the payment in advance to the town auditor at the rate of five hundred dollars per annum, shall receive a license under the corporate seal, signed by the president and countersigned by the clerk, which shall authorize the person or persons therein named to sell, barter, give away or deliver intoxicating liquors in quantities less than one gallon in the place designated in the license.

Section 3. Every license so granted, unless sooner revoked, shall expire on the day mentioned in such license, and all licenses shall expire on the thirty-first day of March next thereafter. It shall be dated as of the day of application, and no person shall be deemed to be duly licensed to whom a license has not been actually issued or transferred as hereinafter provided.

Section 4. Every common or ill-governed house, or house or other place kept by any person licensed as aforesaid, where any person is permitted or suffered to play any game of chance for money or other valuable thing, is hereby declared a disorderly house; and no person shall keep or maintain such disorderly house, under the penalty of not less than five dollars nor more than one hundred dollars for each offense.

Section 5. Any license so granted may be revoked upon written notice by the president whenever it shall appear to his satisfaction that the party so licensed shall have violated any provision of any ordinance of the town of Lake relating to spirituous liquors, or any condition of the bond aforesaid.

Section 6. Any and all persons licensed under this chapter or any ordinance of the town for the sale of liquors shall immediately cause to be and remain posted upon some conspicuous part of the room or bar kept or used for such purpose his or their license.

Section 7. Any person so licensed, who shall not cause such license to be and keep the same posted as required in the preceding section, or who, not being licensed, shall cause or permit any paper or document purporting to be a license to be or remain posted as afore-

said, shall, on conviction, be fined in a sum not exceeding twenty dollars.

Section 8. Any person who shall hereafter have or keep any tavern, grocery, ordinary, victualing or other house or place within the town, for the selling, giving away or in any manner dealing in any vinous, spirituous, ardent, intoxicating or fermented liquors, in quantities less than one gallon; or who, by himself, his agents or servants, shall sell, give away or in any manner deal in any vinous, spirituous, ardent or fermented liquors, in less quantities than one gallon, without a license for that purpose in pursuance hereof, shall upon conviction thereof be subject to a fine of not less than ten dollars nor more than one hundred dollars: Provided, that druggists or persons whose chief business is to sell drugs and medicines shall not be deemed to be within the provisions hereof, in selling quantities, less than aforesaid for purposes purely medical, mechanical or sacramental.

Section 9. No person shall hereafter, by himself, his agent or servant, solicit, ask or take any order from any person or persons within said town for the sale or delivery of any vinous, spirituous, ardent, intoxicating or fermented liquors, in quantities less than one gallon at any other place than that named in such person's license, or sell, offer for sale or deliver any such vinous, spirituous, ardent, intoxicating or fermented liquors, in quantities less than one gallon at any other place than that named in his license within the town of Lake, under the penalty of not less than fifteen, nor more than one hundred dollars for each offense.

Section 10. No person shall keep open any saloon, bar room or tippling house during the night time between the hours of twelve o'clock midnight and five o'clock A. M. under the penalty of not less than twenty dollars nor more than one hundred dollars for each offense.

Section 11. Whenever the wife, or any other relative of any person habitually addicted to the use of intoxicating drink, by notice in writing personally served, shall make a request to any liquor dealer not to sell, or in any manner give away liquor to such person, it shall thereafter be unlawful for such liquor dealer to sell or give away any liquor to such person. Any person violating the provisions of this section shall be fined in a sum of not less than ten dollars nor more than fifty dollars for each and every offense.

Section 12. Every saloon, grocery, room or place where intoxicating liquors are sold in which minors are permitted to drink intoxicating drinks of any kind, or play with dice, dominoes, cards, balls or other articles used in gaming, is hereby declared to be a disorderly house. Every proprietor or keeper of such saloon, grocery or place where such drinking, gaming or playing shall take place, as aforesaid,

shall, for the first offense of keeping the disorderly house aforesaid, be subjected to a fine of not exceeding fifty dollars, and for the second offense shall pay a fine of not exceeding one hundred dollars, and his license shall forthwith be revoked.

Section 13. No license shall be granted to keep a saloon within one hundred and fifty feet of any public park, parkway, boulevard, public school or church, nor in all that portion of the west half of section five, township thirty-eight north, range fourteen east of the third principal meridian, which lies more than one hundred feet east of Ashland avenue, excepting therefrom the southwest quarter of the southwest quarter of section five; nor in all that portion of sections sixteen, twenty, twenty-one, twenty-eight and twenty-nine, township thirty-eight north, range fourteen, east of the third principal meridian, bounded as follows, to wit: Commencing at a point on the south line of Garfield boulevard (Fifty-fifth street) one hundred and twenty-five feet west of the west line of State street, and running thence south parallel with said west line of State street to the center line of Sixty-eighth street, thence east along the center line of the said Sixty-eighth street to the center line of State street; thence south along the center line of State street to the center line of Seventy-ninth street; thence west along the center line of Seventy-ninth street to a point one hundred and twenty-five feet west of the west line of Halsted street, running thence north, parallel with the west line of Halsted street to the center line of Sixty-eighth street, thence east along the center line of Sixty-eighth street, to a point one hundred and twenty-five feet east of the east line of Halsted street; thence north on a line parallel with said east line of said Halsted street to the south line of Garfield boulevard (Fifty-fifth street); thence east on said south line of Garfield boulevard to the place of beginning; nor in all that part of the town of Lake bounded on the north by the alley between Gordon and Forty-third streets, on the south by the center line of Forty-ninth street, on the west by the alley between Emerald avenue and Halsted street; and on the east by the center line of Stewart avenue; nor in all that portion of the town of Lake bounded and described as follows, to wit: Beginning at the intersection of the west town line with the center line of Fifty-fifth street; thence east along the center line of Fifty-fifth street to the center line of Western avenue; thence south along the center line of Western avenue to the center line of Seventy-first street; thence west along the center line of Seventy-first street to the west town line; thence north along said west town line to the place of beginning.

Section 14. All applications for license to keep a saloon shall be made to the board of trustees in writing, stating the time for which such license is desired, not less than three months nor more than one year, signed by the applicant and accompanied by a petition of a ma-



jority of the legal voters of the town residing within one eighth of a mile from the place where such saloon is to be kept; such petitions shall also state that the place where such saloon is to be kept does not fall within the restrictions prescribed by section thirteen of this chapter, and the license fee must also accompany each application.

Section 15. No person shall be licensed to keep a saloon without first giving bond in the penal sum of three thousand dollars to be approved by the board of trustees, payable to the people of the State of Illinois, as required by chapter forty-three of the Revised Statutes of the State of Illinois, entitled "Dram shops."

Section 16. No intoxicating liquor shall be sold at retail or given away, nor shall any saloon be kept open upon any general or special election day within one mile of the place of holding an election until after the polls are closed.

Section 17. It shall be unlawful for any person traveling from place to place in, upon, or along the streets, avenues, alleys, or other public places of the town or in any place in said town where such person is not lawfully licensed, to sell, barter, trade or exchange, or offer for sale, barter, trade or exchange, by sample or otherwise, except by wholesale dealers or their agents, any intoxicating liquor in any quantity whatsoever. Any person violating any of the provisions of this section, shall be fined, for each offense not less than five nor more than one hundred dollars.

Section 18. No person, firm or corporation shall carry on or conduct the business of a wholesale liquor dealer without having first obtained a license therefor from the town of Lake under a penalty of not less than twenty-five nor more than one hundred dollars for each violation.

Section 19. Every person who sells or offers for sale any intoxicating liquor in quantities of not less than one gallon at the same time shall be regarded as a wholesale liquor dealer.

Section 20. Every person, firm or corporation carrying on or conducting the business of a wholesale liquor dealer shall pay to the town treasurer a license fee of one hundred dollars per annum and every license so granted shall expire on the last day of March next thereafter.

Section 21. Upon the payment of one hundred dollars by any person, firm or corporation, there shall issue, subject to the general ordinances of the town in regard to licenses, a license to sell or deliver within the town of Lake intoxicating liquors in quantities not less than one gallon at one time.

Passed May 14, 1889.

Be it ordained by the board of trustees of the town of Lake:

Section 1. That section fourteen of chapter fifty-seven, be and

the same is hereby amended by adding thereto the following; Provided, however, that it shall not be necessary for any applicant to file more than one such petition of the majority of said legal voters during each fiscal year.

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**City of Lake View.**

**LAKE VIEW PROHIBITION DISTRICT.**

Passed June 27, 1889; approved July 1, 1889.

Be it ordained by the city council of the city of Lake View:

Section 1. Within the territory designated in section two of this ordinance, no license shall at any time hereafter be granted to any person or persons to keep a saloon, dram shop or other place for the sale, exchange, giving away or barter of any kind of alcoholic drinks.

Section 2. The territory referred to in section one hereof is bounded as follows, to wit: Commencing at the intersection of Graceland and Southport avenues, running thence east to a point one hundred and fifty feet west of the west line of Clark street, thence northerly one hundred and fifty feet west of and parallel with the west line of Clark street to the north line of Bryn Mawr avenue, thence west along the north line of Bryn Mawr avenue to the center of Western avenue, thence south along the center of Western avenue to a point one hundred and fifty feet east of the easterly line of Lincoln avenue, thence southeasterly along a line one hundred and fifty feet east of the easterly line of Lincoln avenue to the center of Byron street, thence east along the center of Byron street to the center of Southport avenue, thence north along the center of Southport avenue to the center of Graceland avenue, the place of beginning; the said district shall include all the territory within said boundaries.

Section 3. This ordinance shall be in force from and take effect from and after its passage.

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**Northwestern University.**

**ACT OF THE LEGISLATURE.**

Passed February 14, 1855.

**AMENDING THE CHARTER OF NORTHWESTERN UNIVERSITY PROHIBITING THE SALE OF INTOXICATING LIQUOR WITHIN FOUR MILES OF THE UNIVERSITY.**

"Section 2. No spirituous, vinous or fermented liquor shall be

## ORDINANCES REGULATING LIQUOR TRAFFIC.

sold, under license or otherwise, within four miles of the said University, except for medicinal, mechanical or surgical purposes, under the penalty of \$25.00 for each offense, to be before any justice of the peace in said county, in an action in the name of the county of Cook; Provided, that so much of this act as relates to the sale of intoxicating drink within four miles shall be repealed by the general assembly whenever they think proper.

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### Village of Washington Heights.

#### WASHINGTON HEIGHTS PROHIBITION DISTRICT.

Passed June 7, 1886.

Be it ordained by the president and board of trustees of Washington Heights:

Section 1. No license shall be granted for the keeping of dram shops or saloon within the village of Washington Heights, in any place which is not situated north of Grove street, and not less than one hundred feet of Vincennes avenue.

Section 2. All ordinances, orders or resolutions, and parts thereof, in so far as the same are inconsistent with and contrary to the foregoing action, are hereby repealed.

NOTE: See following amendatory ordinance.

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Passed October 18, 1886.

Be it ordained by the president and board of trustees of Washington Heights:

Section 1. That section one of an ordinance relating to the licensing of a district for dram shops in this village, passed at a meeting of the board of trustees, June 7, 1886, be amended so as to read as follows:

No license shall be granted for the keeping of any dram shop or saloon within the village of Washington Heights, at a place which is not situated within two hundred feet of Vincennes avenue.

Section 2. That this act shall take effect from and after its passage.

**Village of West Ridge.****WEST RIDGE PROHIBITION DISTRICT.**

**Passed March 17, 1891.**

Be it ordained by the president and board of trustees of the village of West Ridge:

Section 1. No person, by himself, or his agents or servants, shall sell, give away, or in any manner deal in intoxicating liquors, in quantities less than one gallon, within the village of West Ridge, nor keep a dram shop or saloon, tavern, grocery or other place within the village of West Ridge for selling, giving away, or in any manner dealing in intoxicating liquors in quantities less than one gallon, unless he shall first obtain a license therefor in the manner provided by this ordinance.

Section 2. No license shall be issued or granted for the keeping of a dram shop or for the sale of intoxicating liquor in any house or place within the following described territory or district, to wit: All that part of the village of West Ridge situated, lying, and being west of a line drawn parallel to the centre line of Ridge avenue and two hundred feet distant therefrom in a westerly direction. And the selling or giving away of any intoxicating, malt, vinous, fermented or spirituous liquor in quantities less than one gallon, within any of the territory described in this section is hereby prohibited.

Section 3. All licenses for the keeping of dram shops or saloons, or other places where the business of selling intoxicating liquors is carried on, within the portion of the village of West Ridge, not included in the district or territory described in the preceding section of this ordinance, shall be granted in the following manner, and not otherwise; any person who may desire such a license shall make application therefor in writing to the president of said village, stating therein the particular place or premises in or upon which such applicant desires to carry on business. Such applicant shall also execute and file with his application a bond in the penal sum of three thousand dollars, payable to the people of the State of Illinois, as provided by the laws of the State of Illinois; and a further bond to the village of West Ridge in the sum of five hundred dollars, with at least two sureties, to be approved by the president, conditioned that such applicant shall faithfully observe and keep all ordinances of said village, and shall defend, save and keep harmless said village from all suits or legal proceedings which may be brought against it, or against said applicant, by reason of the granting of said license or any act done under the authority thereof. Upon such application and bonds being filed and approved, the president of the village is hereby authorized to execute and deliver to such applicant, upon the payment in advance

to the village treasurer of a sum of money at the rate of five hundred dollars per annum, a license under the corporate seal, signed by the president and countersigned by the clerk.

Section 4. Every license issued, as provided by the preceding section, shall give to the person or persons therein named such authority as the board of trustees of said village has power to grant under the laws of the State of Illinois, to keep a dram shop and to sell, give away or barter intoxicating liquors in quantities less than one gallon in and upon the premises designated in the license for the period therein named unless sooner revoked. Every such license may be revoked at any time by vote of the board of trustees for a violation, by the person licensed, of any ordinance of the village, or if such person shall keep in the place licensed as a saloon a disorderly or disreputable resort. Such license shall not be transferred, or used by any other than the person named therein. No such license shall be construed as giving to any person authority to conduct a concert hall in connection with the saloon licensed, or otherwise, except by special permission of the board of trustees.

Section 5. No license shall be granted to extend beyond the end of the municipal year. The municipal year is hereby established and shall be construed to mean, the period elapsing between May first of any year, and April thirtieth of the next succeeding year; and for the purpose of granting licenses the municipal year is hereby divided into license periods as follows: Each municipal year hereafter shall consist of four periods, known as the first, second, third and fourth periods, as follows: May first to August first:—first period; August first to November first:—second period; November first to February first:—third period; and February first to April thirtieth:—fourth period; licenses may be issued for one of such periods or for the whole year; and each license issued for either of said periods shall be dated as of the beginning of said period, and shall expire with such period: No license shall, however, extend beyond the municipal year. All licenses shall be paid for at the rate of five hundred dollars per annum, and the amount to be paid for any one period shall be computed in the proportion that such period bears to a full calendar year.

Section 6. Any person who shall violate any provision of this ordinance, or who, by himself, his agents or servants shall keep a dram shop or other place where the business of selling intoxicating liquors is carried on, in violation of the provisions of this ordinance, shall, upon conviction, be fined not less than twenty dollars nor more than two hundred dollars for each and every offense.

Provided:—That druggists or persons whose chief business is to sell drugs and medicines shall not be deemed to be within the provisions hereof in selling quantities less than aforesaid, for purposes purely medicinal, mechanical or sacramental.

Section 7. All places where intoxicating liquors are sold in violation of this ordinance, within the village of West Ridge, shall be taken, held and declared to be common nuisances; and whoever shall keep any such place by himself, his agents or servants, shall for each and every offense, be fined not less than fifty dollars nor more than two hundred dollars; and such nuisance shall be abated, as provided by the statutes of Illinois relating to dramshops.

Section 8. This ordinance shall take effect and be in force from and after May first, A. D. 1891, and all ordinances theretofore passed in conflict herewith shall thereupon be repealed.

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### Village of West Roseland.

#### WEST ROSELAND PROHIBITION DISTRICT.

Passed and approved October 1, 1889.

Be it ordained by the president and board of trustees of the village of West Roseland:

Section 1. That the selling or giving away of any intoxicating malt, vinous, mixed or fermented liquor (except by a druggist for medicinal, mechanical, sacramental and chemical purposes only) within the village of West Roseland, is hereby prohibited. That no license shall be granted to any person or persons, to keep a dram shop or saloon in the village of West Roseland. That it shall be unlawful for any person or persons to keep or conduct any dram shop or saloon in said village, or to directly or indirectly, by himself or herself, or by another either as principal, clerk or servant, sell vinous, spirituous, malt, fermented, mixed or intoxicating liquor in any less quantity than one gallon; or in any quantity to be drunk upon the premises, or in or upon any adjacent room, building, yard, premises or place of public resort in said village.

Section 2. Any person who shall violate any of the provisions of the preceding section, or do any of the things or acts therein declared to be unlawful or prohibited, shall be fined not less than twenty dollars nor more than one hundred dollars.

Section 3. That said fine shall be recovered by a suit or prosecution which may be commenced or conducted before any justice of the peace or police magistrate in Cook county in the State of Illinois, or before any court of competent jurisdiction in said county.

# TRACK ELEVATION.

Passed February 23, 1893.

**AN ORDINANCE** for the restoration of highways and streets in the city of Chicago whose surface is occupied by railroad tracks, by the removal of such tracks, and for the removal of railroad tracks from the surface of highways and streets in said city.

**Preamble.]** Whereas, there are terminals of twenty-one trunk lines of railroads within the city of Chicago, the main railroad tracks of which radiate from their respective terminal stations, which are situated in or near the main business center of the city, to the boundaries of the city; and the tracks of said railroads crossing the public highways and streets of the city, to the number of upwards of three thousand, cross such highways and streets at grade; and, whereas, it is estimated that in the aggregate more than three million persons per day, upon the average, cross one or the other of such railroad tracks upon said highways and streets in vehicles and on foot; that over three hundred persons were killed by railroad cars at such crossings in the city of Chicago during the year 1892, and many more than that number were maimed or injured by the same means; that a very large amount of property is annually destroyed at such crossings by the same causes; and, that the amount of expense and loss caused by the delays to vehicles and pedestrians traveling upon such highways and streets at such crossings, by the use of such crossings at grade by railroad engines and cars, amounts to several millions of dollars per year. That the expense and loss to railroad companies by the delays made necessary in operating their railroads at grade in said city, and by their liability for damages for injuries to persons and property, amounts during each year to an enormous sum of money—it being estimated that more than six million freight cars with a tonnage amounting to more than sixty million tons, and more than one million two hundred and fifty thousand passenger cars carrying more than twenty-seven million passengers are during each year moved along said railroad tracks in said city, and, whereas, because of the great growth of said city in population the public necessities require the opening each year of a large number of new streets across said railroads, and, also, require and call for more constant use of the railroad tracks of said railroad companies and better and more uninterrupted use thereof; and the great public evils of such grade crossings and the inevitable dangers of injury to persons and property upon such highways and streets at such crossings are increasing; and, whereas, the continued existence and operation of railroads across or upon highways and streets in said city, at grade, has become and is wholly inconsistent with the safety of the public traveling upon such highways and streets

and, necessarily, fraught with great danger to persons and property upon such highways and streets; and it is necessary in order to make such highways and streets at such crossings reasonably safe for persons and property making proper use thereof, and to restore highways and streets occupied by railroad tracks so that they may be safe and convenient for public travel, that the surface of such highways and streets should not be occupied by railroad tracks used for the passage of locomotive engines and railroad cars propelled by steam, and that such railroad tracks should be removed from the surface of such highways and streets with all reasonable speed and dispatch; and, whereas, in view of the great and increasing number of such street crossings, it being estimated that there are now more than fifteen hundred railroad crossings of highways and streets in said city, and in view of the uniform level topography of the city it is impracticable to make such railroad crossings of highways and streets safe by the construction and maintenance of viaducts over said railroads; now, therefore,

**Definitions — districts.]** Be it ordained by the city council of the city of Chicago: Section 1. 1. That, for the purpose of brevity and clearness, the terms highways and streets shall not only include highways and streets established in the manner prescribed by the statutes of this state, but as well all those created by user or common law dedication or otherwise.

2. The provisions of this ordinance with respect to the removal of railroad tracks and appurtenances, existing upon the surface of the highways and streets within the city of Chicago, from the surface of such streets and highways and the making and maintaining the railroad crossings of highways and streets so that, at all times, they shall be safe as to persons and property, shall apply as well to highways and streets created subsequently to such railroad tracks and appurtenances as to highways and streets existing at the time of the construction of any such railroad tracks or appurtenances upon or across the same.

3. The words railroad or railroads, railroad track or railroad tracks, means railroad or railroads, railroad track or railroad tracks, upon which property, or both persons and property, are or may be transported for hire, and does not include railroads or railroad tracks devoted wholly to the transportation of persons by means of any motive power other than steam.

4. All that portion of the city of Chicago, bounded as follows, will be hereinafter referred to as the "first district," to wit: Commencing at a point on lake Michigan where the south line of Park row produced intersects the same; thence west along the south line of Park row to the east line of Michigan avenue; thence south along the east line of Michigan avenue to the south line of Twelfth street;



thence west along the south line of Twelfth street, to the east bank of the south branch of the Chicago river; thence north along the east bank of the south branch of the Chicago river to a point four hundred feet south of the south line of Taylor street; thence northeasterly to northwest corner of Taylor street and Fifth avenue; thence along the west line of Fifth avenue to the south line of Harrison street; thence west along the south line of Harrison street to the east bank of the south branch of the Chicago river; thence north along the east bank of the south branch of the Chicago river to the intersection of the north and south branches of the Chicago river; thence east along the main branch of the Chicago river to lake Michigan; thence south along lake Michigan to Park row, the place of beginning.

5. All that portion of the city of Chicago will be hereinafter denominated the "second district" which is bounded as follows: Commencing at lake Michigan and the south line of Sixty-seventh street; thence west along the south line of Sixty-seventh street to the west line of Halsted street; thence north along the west line of Halsted street to the south line of Thirty-ninth street; thence west along the south line of Thirty-ninth street to the west line of Kedzie avenue; thence north on the west line of Kedzie avenue to Diversey avenue; thence east along the north line of Diversey avenue to lake Michigan; thence south along lake Michigan to the place of beginning; excluding therefrom, however, all that territory embraced in the said first district, and, also, all that territory embraced within the following boundaries, to wit: Commencing at the southwest corner of Halsted and Twenty-first streets; thence west on the south line of Twenty-first street to the east line of Kedzie avenue; thence south on the east line of Kedzie avenue to the north bank of the Illinois and Michigan canal; thence northeasterly on the north bank of said canal to its intersection with the south branch of the Chicago river; thence northeasterly along the north bank of the said south branch of the Chicago river to the west line of Halsted street; thence north on said west line of Halsted street to Twenty-first street, the place of beginning.

6. All that portion of Chicago not embraced in said first and second districts will be hereinafter designated as the "third district."

**First district—removal of surface tracks.]** Section 2. That all railroads and railroad tracks and structures upon the surface of the streets and highways within the first district shall be removed therefrom on or before the first day of January, 1895, and not thereafter to be relaid, and that on and after the first day of January, 1895, no railroads or railroad tracks shall be permitted to remain, or be used or operated upon the surface of any street or highway within said first district.

**Second district — removal of surface tracks.]** Section 3. That all

railroads and railroad tracks and structures upon the surface of the streets and highways within the second district shall be removed therefrom on or before the first day of January, 1897, and not thereafter relaid, and that on and after the first day of January, 1897, no railroads or railroad tracks shall be permitted to remain, or be used or operated upon the surface of any street or highway within said second district.

**Third district—removal of surface tracks.]** Section 4. That all railroads and railroad tracks and structures upon the surface of the streets and highways within the third district shall be removed therefrom on or before the first day of January, 1899, and not thereafter relaid, and that on and after the first day of January, 1899, no railroads or railroad tracks shall be permitted to remain on or be used or operated upon the surface of any streets or highways within the said third district.

**Violation of ordinance.]** Section 5. That for each and every day, or part thereof, during which any corporation, copartnership or person, shall construct, or maintain any railroad or railroad tracks upon the surface of any street or highway within the limits of said city, as now existing or hereafter extended, contrary to the provisions of the three preceding sections, or either of them, such corporation, persons or person shall be subject and liable to a penalty of two hundred dollars, to be recovered in any court of competent jurisdiction.

**Elevated roads, authority to construct — Specifications.]** Section 6. Subject to the limitations, conditions, reservations, exceptions and restrictions hereinafter contained, the consent of the city council of said city is hereby given and granted to all persons and corporations now owning or operating any railroad or railroad tracks upon the surface of any of the streets and highways within the limits of said city heretofore constructed upon or across the same, in pursuance of lawful authority to construct, maintain and operate elevated railroads in lieu thereof, to wit:

1. That the roadbeds of such elevated railroads in said streets and highways shall be upheld by cross girders of iron or steel, supported by iron or steel posts or columns.

2. That the transverse diameter of each of said posts or columns (exclusive of fenders) shall not exceed 24 inches at any point within ten feet of the surface of the highway or street in which the same shall be placed and suitable fenders shall be placed around the base of each of said iron or steel posts or columns to prevent collision between such posts or columns and vehicles moving along such highway or street.

3. That the materials for said structures within said highways and streets shall be of iron, steel, stone or brick (except as otherwise above provided) except that the rails shall be of steel; ties and guard rails may be of a suitable quality of selected timbers; the roadbed

may be of asphalt or broken stone, supported by buckle plates of iron or steel, and all material used in the construction of said work shall be of suitable quality for the purpose to which it is to be applied and all work shall be done in a good and workmanlike manner.

4. That no part of the girders of the superstructure shall be less than 16 feet above the established grade of the highways and streets in which they shall be situated.

5. That no part of any such elevated railroad shall be constructed lengthwise or longitudinally in any such highway or street but, as nearly as practicable, across the same at right angles.

6. That the width of the elevated railroads in said highways and streets, the construction of which is consented to as aforesaid, shall not exceed that necessary or proper for the placing, maintenance and use thereon of the tracks on the surface owned or operated by the persons or corporations constructing and owning such elevated railroads.

7. That the location of each elevated railroad, the construction of which is consented to as aforesaid, so far as the same shall be situated in any highway or street, shall be fixed by the commissioner of public works of said city, except as herein otherwise provided.

8. That the owners or operators of said elevated railroad, their lessees, successors and assigns, may use such motive power as they shall elect, but such power shall be fully equipped with all modern devices calculated to render it practically noiseless and smokeless, and to prevent the discharge of cinders and sparks, and suitable and practicable devices shall likewise be placed at all highway or street crossings where the road is elevated to intercept and carry off storm water and drippings from melting snow and other sources, by means of suitable instrumentalities to connect the same with the sewers of the city.

9. That the persons and corporations constructing and owning any elevated railroad in pursuance hereof, their lessees, successors or assigns, shall have the right to construct, maintain and use telegraph, telephone and signal devices for their own sole use along and upon the said elevated railroad, provided that the city of Chicago shall have the right to use such elevated railroad for the purpose of placing therein its police, fire alarm, electric light and telephone wires, without any compensation for such right, in such manner, however, as not to interfere with the use and operation of such elevated railroads, or telegraph, telephone and signal devices first mentioned in this subdivision, or the maintenance and repair thereof.

10. That the work of constructing each of said elevated railroads within the said first district shall be commenced not later than the first day of July, 1893, and completed not later than the first day of January, 1895.

11. That the work of constructing each of said elevated railroads within the said second district shall be commenced not later than the first day of July, 1895, and completed not later than the first day of January, 1897.

12. That the work of constructing each of said elevated railroads within the said third district shall be commenced not later than the first day of July, 1897, and completed not later than the first day of January, 1899.

13. That each person or corporation desiring to construct any elevated railroad shall first submit plans and specifications therefor to the commissioner of public works for his approval, and that the construction of such elevated railroads shall be upon plans and specifications approved by such commissioner of public works and not otherwise, except as herein otherwise provided.

14. That the consent herein given and granted shall be subject to all ordinances of the city of Chicago governing railroads now in force, or which shall hereafter be passed, so far as the same are applicable to elevated railroads.

15. That the persons or corporations constructing or owning any elevated railroad in pursuance thereof, as well as their lessees, successors and assigns, shall for ever indemnify and save harmless the said city of Chicago from any and all damages, judgments, decrees, costs and expenses for which it may be made liable, or which may be recovered against it by reason of its having consented to the construction, maintenance and use of such elevated railroad, or of any telegraph, telephone or signal devices placed thereon, or by reason of the construction, maintenance or operation of such elevated railroad or resulting from the passage of this ordinance, or any matter or thing connected therewith, or from the exercise by any of said persons or corporations of any privilege or authority hereof given or granted.

**Surface tracks from district to district for a time limited.]** Section 7. The said elevated railroads to be constructed within the said first district may be brought to the surface outside of such district at a gradient to be fixed by the persons or corporations constructing the same, and maintained on the surface until the time limited for the removal of the same from such surface, as aforesaid, and in like manner the elevated railroads to be constructed within the said second district may be brought to the surface in the third district and so operated and maintained until the expiration of the time limited for the removal thereof from such surface. But, the persons or corporations constructing or using or operating such railroads shall raise, depress or bridge any roadway, or crossing of any highway or street so as to carry and maintain the same during said periods across, or under, or over such tracks, as the commissioner of public works of said city may require, and shall pay, indemnify and save harmless the city of

Chicago from any and all damages, judgments, decrees, costs and expenses of same, or for or by reason of or growing out of, or resulting from the same.

**Control of streets reserved.]** Section 8. It is not intended by the city council, by the provisions of this ordinance, to surrender any of its powers or control over said highways or streets, nor in any manner to limit its authority to regulate the use of railroads upon the surface of said highways and streets, nor its power and authority to cause the removal of said tracks from said streets and highways, or the discontinuance of the use thereof, or prohibiting the use of steam as a motive power upon any or all of said tracks upon the surface of said highways or streets, but all its power and authority shall survive and continue, notwithstanding the provisions of this ordinance, and the exercise of the same shall at all times be free and unrestricted, whether before or after the time or times hereinbefore fixed for the commencement of or completion of said elevated railroads.

**Removal of obstructions.]** Section 9. If any bridge, viaduct, approach thereto, or other structure in any of said highways and streets shall be found to constitute an obstruction to or interference with the work of constructing, maintaining or using any elevated roadbed or structure, the construction of which is herein consented to, the commissioner of public works is hereby authorized and directed to promptly remove the same at the expense of said city.

**Ordinance applied to railroads severally.]** Section 10. Should any of the provisions of this ordinance be judicially determined to be for any reason invalid, or invalid as to any one or more railroads or as to any one or more crossings, then and in that case, the other provisions of the same or the provisions of the same as to any other railroad or as to any other crossing, shall not, on that account, be deemed invalid; it being the intent of this council hereby to ordain each and singular the provisions of this ordinance as to each and singular the respective railroads and railroad crossings of highways and streets in said city, as to which this ordinance and the provisions thereof, under the circumstances, may by the city council be ordained.

**Surface roads a nuisance — Removal.]** Section 11. Every railroad track existing or being in any public street or highway at grade thereof, contrary to the provisions of this ordinance is hereby declared to be a nuisance and, after the time herein limited for the removal of such track or tracks, the commissioner of public works is hereby ordered and directed to remove and abate the same and to prevent the further operation or use thereof.

**Grade crossings prohibited, when—exception—penalty.]** Section 12. It shall be unlawful for any railroad company or corporation or any officer, agent, employe or servant thereof, or any other person, firm, or copartnership to cause any locomotive engine or steam railroad car

to cross any street or highway of the city at the grade of such street or highway, or to operate or use any railroad or railroad tracks upon the surface of any highway or street within the limits of said city, subsequent to the time designated by this ordinance for the removal of such tracks from such highway or street. Every such act is hereby declared to be a nuisance, and it shall be, and is hereby made the duty of the police department of the city to prevent and prohibit the same. For each and every violation of this section the offender shall, upon conviction, be fined not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200). Provided, however, that (whereas the Illinois Central Railroad north of Fifty-first street is peculiarly situated) this ordinance shall not be taken to apply to or in any way affect the present location and construction of the tracks of the Illinois Central Railroad Company north of Fifty-first street, but neither this proviso nor anything in this ordinance contained shall prejudice or affect the power of the city council, in and by any other ordinance, at any time, to legislate with respect to the portion of the Illinois Central railroad above mentioned, as the public safety and welfare may, under the circumstances, require.

**Prosecutions, institution of.]** Section 13. The corporation counsel of said city is hereby authorized, as well as required, to institute and diligently prosecute all suits, actions and proceedings necessary or proper to secure full compliance with the provisions of this ordinance in all respects.

**When in force.]** Section 14. This ordinance shall be in force from and after its passage and due publication.

**NOTE:** Lack of space makes it impossible to print all the statutes relating to municipal affairs. The following have been selected as being those most frequently referred to in connection with the ordinances of the city.

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## GENERAL ACT FOR INCORPORATION OF CITIES AND VILLAGES.

AN ACT to provide for the incorporation of cities and villages. [Approved April 10, 1872. Adopted by the city of Chicago, April 23, 1875.]

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### ARTICLE II.

#### OF THE MAYOR.

**Mayor—his qualifications.]** Section 1. The chief executive officer of a city shall be a mayor, who shall be a citizen of the United States, a qualified elector, reside within the city limits, and hold his office for two years, and until his successor is elected and qualified.

**Vacancy one year or over.]** Section 2. Whenever a vacancy shall happen in the office of the mayor, when the unexpired term shall be one year or over from the date when the vacancy occurs, it shall be filled by an election.

**Vacancy less than year.]** Section 3. If the vacancy is less than one year, the city council shall elect one of its number to act as mayor who shall possess all the rights and powers of the mayor until the next annual election, and until his successor is elected and qualified.

**Mayor pro tem.]** Section 4. During a temporary absence or disability of the mayor, the city council shall elect one of its number to act as mayor *pro tem*, who, during such absence or disability, shall possess the powers of mayor.

**Vacancy by removal from city.]** Section 5. If the mayor, at any time during the term of his office, shall remove from the limits of the city, his office shall thereby become vacant.

**Mayor to preside—casting vote.]** Section 6. The mayor shall preside at all meetings of the city council, but shall not vote except in case of a tie, when he shall give the casting vote.

**When he may remove officers.]** Section 7. The mayor shall have power to remove any officer appointed by him, on any formal charge, whenever he shall be of the opinion that the interests of the city demand such removal, but he shall report the reasons for such removal to the council at a meeting to be held not less than five days nor more than ten days after such removal; and if the mayor shall fail, or refuse to file with the city clerk a statement of the reasons for such removal, or if the council by a two-thirds vote of all its members authorized by law to be elected, by yeas and nays, to be entered upon its record, disapprove of such removal, such officer shall thereupon become restored to the office from which he was so removed; but he shall give new bonds and take a new oath of office. No officer shall be removed a second time for the same offense. [As amended by Act approved May 31, 1879.]

**His power to keep peace.]** Section 8. He may exercise, within the city limits, the powers conferred upon sheriffs to suppress disorder and keep the peace.

**Release of prisoners.]** Section 9. He may release any person imprisoned for violation of any city ordinance, and shall report such release, with the cause thereof, to the council at its first session thereafter.

**General duties.]** Section 10. He shall perform all such duties as are or may be prescribed by law or by the city ordinances, and shall take care that the laws and ordinances are faithfully executed.

**Power to examine records, etc.]** Section 11. He shall have power at all times to examine and inspect the books, records and papers of any agent, employe or officer of the city.

**Messages to council.]** Section 12. The mayor shall, annually, and from time to time, give the council information relative to the affairs of the city, and shall recommend for their consideration such measures as he may deem expedient.

**To call out militia, etc.—riots, etc.]** Section 13. He shall have power, when necessary, to call on every male inhabitant of the city over the age of eighteen years, to aid in enforcing the laws and ordinances, and to call out the militia to aid in suppressing riots and other disorderly conduct, or carrying into effect any law or ordinance, subject to the authority of the governor as commander-in-chief of the militia.

**Misconduct, etc., of mayor or other officer—penalty.]** Section 14. In case the mayor or any other municipal officer shall at any time be guilty of a palpable omission of duty, or shall willfully and corruptly be guilty of oppression, malconduct or misfeasance in the discharge of the duties of his office he shall be liable to indictment in any court of competent jurisdiction, and, on conviction, shall be fined in a sum not exceeding one thousand dollars; and the court in which such conviction shall be had shall enter an order removing such officer from office.

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## MAYOR'S BILL.

**AN ACT** concerning the appointment and removal of city officers in all cities in this state, conferring additional powers and duties upon mayors, and concerning appropriation bills or ordinances that may be passed in such cities. [Approved April 10, 1875.]

**Power of mayor and council—repeal.]** Section 1. Be it enacted by the People of the State of Illinois represented in the General Assembly.

**NOTE:** All of this section except the enacting clause is repealed by act approved May 28, 1879.

**Approval and veto of ordinances.]** Section 2. All ordinances passed by the city council shall, before they take effect, be deposited in the office of the city clerk, and if the mayor approves thereof, he shall sign the same, and such as he shall not approve he shall return to the council, with his objections thereto, in writing, at the next regular meeting of the council occurring not less than five days after the passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance, and in case the veto only extends to a part of such ordinance, the residue thereof shall take effect and be in force; but in case the mayor shall fail to return any ordi-



nance with his objections thereto, by the time aforesaid, he shall be deemed to have approved such ordinance, and the same shall take effect accordingly.

**Passage over mayor's veto.]** Section 3. Upon the return of any ordinance by the mayor, the vote by which the same was passed shall be reconsidered by the council; and if, after such reconsideration, two thirds of all the members elected to the city council shall agree, by yeas and nays, to pass the same, it shall go into effect, notwithstanding the mayor may refuse to approve thereof. The vote to pass the same over the mayor's veto shall be taken by yeas and nays and entered on the journal.

(Act of 1872 resumed.)

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### ARTICLE III.

#### OF THE CITY COUNCIL.

**Council—how composed.]** Section 1. The city council shall consist of the mayor and aldermen.

**Aldermen.]** Section 2. The number of aldermen, when not elected by the minority representation plan, shall be as follows: In cities not exceeding three thousand inhabitants, six aldermen; exceeding three thousand, but not exceeding five thousand, eight aldermen; exceeding five thousand and not exceeding ten thousand, ten aldermen; exceeding ten thousand and not exceeding thirty thousand, fourteen aldermen; and two additional aldermen for every twenty thousand inhabitants over thirty thousand: Provided, however, that in cities of over three hundred fifty thousand inhabitants there shall be elected forty-eight aldermen and no more, unless additional territory shall be annexed to such city, after such city shall have been divided into wards on the basis of forty-eight aldermen, in which case and as often as new territory shall be annexed to such city, as aforesaid, containing three or more square miles of territory or fifteen thousand inhabitants and not exceeding twenty-five thousand inhabitants, such annexed territory shall constitute a ward of such city, and the city council of such city shall authorize the legal voters of such annexed territory to elect two aldermen from such ward in such annexed territory, which said aldermen in such annexed territory shall be additional to said forty-eight aldermen, and who shall possess all the qualifications of, and be elected at the time and in the manner provided in the said act, of which this is an amendment: Provided, that if said annexed territory shall contain more than twenty-five thousand inhabitants, then the city council shall authorize the legal voters of such an-

nexed territory to elect two aldermen for every twenty-five thousand inhabitants thereof, and two additional aldermen for every fraction of fifteen thousand inhabitants or more. The number of inhabitants to be determined by the last preceding national, state or school census of such annexed territory. And if any such annexed territory has less than fifteen thousand inhabitants, and less than three square miles in extent, then the city council shall annex it to any ward or wards which it adjoins: Provided, further, that when the number of aldermen in any such city shall reach seventy by reason of such annexed territory, the city council shall redistrict said city into thirty-five new wards and no more; and when said number of aldermen shall reach seventy, if any new territory is thereafter annexed which shall contain twenty-five thousand inhabitants, or more, as determined by the last preceding national, state, school or other census authorized by law to be taken, then said city council shall redistrict said city into thirty-five wards: Provided, further, that whenever after such new territory shall have been annexed, as aforesaid, said city shall be redistricted, the number of wards at the time said city is redistricted shall be preserved and the city council thereof may, in its discretion, change the boundary between such new ward and the original territory of the city, and make said new ward larger or smaller, to comply with the requirements of said act as to compactness and equality of inhabitants: And provided, further, if it shall appear from any census heretofore or hereafter taken, that any city has the requisite number of inhabitants to authorize it to increase the number of aldermen, it shall be the duty of the city council thereof to proceed without delay and redistrict such city in accordance with the provisions hereof, and to call and hold its next city election in accordance with such new redistricting: Provided that at such election the aldermen who hold over shall be considered aldermen for the new wards respectively in which their residence shall be, unless there shall be two or more aldermen who hold over in the same ward under this proviso, then, in such case, it shall be determined by lot in presence of the city council, in such manner as they shall direct, which aldermen shall hold over for such ward. [As amended by act approved June 4, 1889.]

**Term of office.]** Section 3. Aldermen shall hold their office for the term of two years, and until their successors are elected and qualified.

**Vacancy.]** Section 4. If any vacancy shall occur in the office of alderman by death, resignation, removal or otherwise, such vacancy shall be filled by election.

**Qualifications of aldermen.]** Section 5. No person shall be eligible to the office of alderman unless he shall be a qualified elector, and reside within the ward for which he is elected, nor shall he be eligible if he is in arrears in the payment of any tax or other liability due to

the city; nor shall he be directly or indirectly interested in any contract whatever to which the city is a party; nor shall he be eligible if he shall have been convicted of malfeasance, bribery or other corrupt practices or crimes; nor shall he be eligible to any office, the salary of which is payable out of the city treasury, if at the time of his appointment he shall be a member of the city council; nor shall any member of the city council at the same time hold any other office under the city government; nor shall he be either directly or indirectly, individually, or as a member of a firm, engaged in any business transaction (other than official) with such city, through its mayor or any of its authorized boards, agents or attorneys, whereby any money is to be paid, directly or indirectly, out of the city treasury to such member or firms.

**Council judge of its members.]** Section 6. The city council shall be judge of the election and qualification of its own members.

**Rules—expulsion—bribery.]** Section 7. It shall determine its own rules of proceeding, punish its members for disorderly conduct, and with the concurrence of two-thirds of the aldermen elect, may expel a member, but not a second time for the same offense: Provided, that any alderman or councilman who shall have been convicted of bribery shall thereby be deemed to have vacated his office.

**Quorum—compelling attendance.]** Section 8. A majority of the aldermen elect shall constitute a quorum to do business, but a smaller number may adjourn from time to time, and may compel the attendance of absentees, under such penalties as may be prescribed by ordinance.

**Meetings.]** Section 9. The city council may prescribe, by ordinance, the times and places of the meeting thereof, and the manner in which special meetings thereof may be called.

**Chairman pro tem.]** Section 10. It may elect a temporary chairman in the absence of the mayor.

**Open doors.]** Section 11. It shall sit with open doors.

**Journal.]** Section 12. It shall keep a journal of its own proceedings.

**Yeas and nays—record—vote required.]** Section 13. The yeas and nays shall be taken upon the passage of all ordinances, and on all propositions to create any liability against the city, or for the expenditure or appropriation of its money, and in all other cases at the request of any member, which shall be entered on the journal of its proceedings; and the concurrence of a majority of all the members elected in the city council shall be necessary to the passage of any such ordinance or proposition: Provided, It shall require two-thirds of all the aldermen elect to sell any city or school property.

**Not to rescind vote at special meeting, unless, etc.]** Section 14. No vote of the city council shall be reconsidered or rescinded at a special

meeting, unless at such special meeting there be present as large a number of aldermen as were present when such vote was taken.

**When report laid over.]** Section 15. Any report of a committee of the council shall be deferred, for final action thereon, to the next regular meeting of the same after the report is made, upon the request of any two aldermen present.

**Territorial jurisdiction.]** Section 16. The city council and board of trustees shall also have jurisdiction in and over all places within one-half mile of the city or village limits, for the purpose of enforcing health and quarantine ordinances and regulations thereof.

**Special meeting.]** Section 17. The mayor or any three aldermen may call special meetings of the city council.

**Ordinances—approval—veto.]** Section 18. All ordinances passed by the city council shall, before they take effect, be deposited in the office of the city clerk; and if the mayor approves thereof, he shall sign the same, and such as he shall not approve he shall return to the council, with his objections thereto, in writing, at the next regular meeting of the council occurring not less than five days after the passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance making an appropriation, or to the entire ordinance; and in case the veto only extends to a part of such ordinance, the residue thereof shall take effect and be in force. But in case the mayor shall fail to return any ordinance, with his objections thereto, by the time aforesaid, he shall be deemed to have approved such ordinance, and the same shall take effect accordingly.

**Reconsideration—passing over veto.]** Section 19. Upon the return of any ordinance by the mayor, the vote by which the same was passed shall be reconsidered by the council; and if, after such reconsideration, two-thirds of all the members elected to the city council shall agree, by yeas and nays, to pass the same, it shall go into effect, notwithstanding the mayor may refuse to approve thereof. The vote to pass the same over the mayor's veto shall be taken by yeas and nays, and entered on the journal.

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#### ARTICLE IV.

##### ELECTIONS.

**Annual election.]** Section 1. A general election for city officers shall be held on the third Tuesday of April of each year. Provided, that in cities which include wholly within their corporate limits a town or towns, such elections shall be held on the first Tuesday of April. [As amended by act approved March 9, 1877.]

**Election of mayor, city clerk, attorney and treasurer.]** Section 2. At the general election held in 1877, and biennially thereafter, a mayor, a city clerk, a city attorney, and a city treasurer shall be elected in each city: Provided, that no person shall be elected to the office of city treasurer for two terms in succession. [As amended by act approved March 26, 1877.]

**Who entitled to vote.]** Section 3. All persons entitled to vote at any general election for state officers within any city or village, having resided therein thirty days next preceding thereto, may vote at any election for city or village officers.

**Wards.]** Section 4. The city council of any city in this state, whether organized under this act or under any special law of this state, may, from time to time, divide the city into one-half as many wards as the total number of aldermen to which the city is entitled; and one alderman shall, annually, be elected in and for each ward, to hold his office for two years, and until his successor is elected and qualified. In the formation of wards the population of each shall be as nearly equal, and the ward shall be of as compact and contiguous territory as practicable. [As amended by act approved June 17, 1887.]

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**Place of election—notice.]** Section 9. The city council shall designate the place or places in which the election shall be held, and appoint the judges and clerks thereof, and cause notice to be printed in some newspaper published in such city, if there be one, or posted at each voting place in such city, of the time, places of election, and of the officers to be elected, for at least twenty days prior to such election.

**Manner of conducting elections, etc.]** Section 10. The manner of conducting and voting at elections to be held under this act and contesting the same, the keeping of poll lists and canvassing the votes, shall be the same, as nearly as may be, as in the case of the election of county officers, under the general laws of this state. The judges of election shall appoint clerks, when necessary to fill vacancies, and the judges and clerks shall take the same oath and have the same powers and authority as the judges and clerks of general state elections. After the closing of the polls, the ballots shall be counted and the returns made out and returned, under seal, to the city or village clerk, as the case may be, within two days after the election; and, thereupon, the city council or board of trustees, as the case may be, shall examine and canvass the same and declare the result of the election, and cause a statement thereof to be entered upon its journals.

**Result—tie.]** Section 11. The person having the highest number of votes, for any office, shall be declared elected. In case of a tie in the election of any city or village officer, it shall be determined by lot, in presence of the city council or board of trustees, in such man-

ner as they shall direct, which candidate or candidates shall hold the office.

**Notice to persons elected or appointed.]** Section 12. It shall be the duty of the village or city clerk, within five days after the result of the election is declared or appointment made, to notify all persons elected or appointed to office of their election or appointment, and unless such persons shall respectively qualify in ten days after such notice, the office shall become vacant.

**When no quorum in office—special election.]** Section 13. If, for any cause, there shall not be a quorum in office of the city council or board of trustees, the mayor, clerk, or any alderman or trustee, as the case may be, may appoint the time and place for holding a special election to supply such vacancy and give notice and appoint the judges thereof.

**Special elections.]** Section 14. If there is a failure to elect any officer herein required to be elected, or the person elected should fail to qualify, the city council or board of trustees may forthwith order a new election therefor; and in all cases, when necessary for the purposes of this act, may call special elections, appoint judges and clerks thereof, canvass the returns thereof, and provide by ordinance for the mode of conducting the same; and shall give notice of such special elections in which shall be stated the questions to be voted upon, and cause such notices to be published or posted for the same length of time and in the same manner as is required in the case of regular annual elections in such cities or villages.

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## ARTICLE V.

### OF THE POWERS OF THE CITY COUNCIL.

Section 1. The city council in cities, and president and the board of trustees in villages, shall have the following powers:

First—To control the finances and property of the corporation.

Second—To appropriate money for corporate purposes only, and provide for payment of debts and expenses of the corporation.

Third—To levy and collect taxes for general and special purposes on real and personal property.

Fourth—To fix the amount, terms and manner of issuing and revoking licenses.

Fifth—To borrow money on the credit of the corporation for corporate purposes, and issue bonds therefor, in such amounts and form, and on such conditions as it shall prescribe, but shall not become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate to exceed five per centum on

the value of the taxable property therein, to be ascertained by the last assessment, for the state and county taxes previous to the incurring of such indebtedness; and before or at the time of incurring any indebtedness, shall provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years after contracting the same.

Sixth—To issue bonds in place of or to supply means to meet maturing bonds, or for the consolidation or funding of the same.

Seventh—To lay out, to establish, open, alter, widen, extend, grade, pave or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and public grounds, and vacate the same.

Eighth—To plant trees upon the same.

Ninth—To regulate the use of the same.

Tenth—To prevent and remove encroachments or obstructions upon the same.

Eleventh—To provide for the lighting of the same.

Twelfth—To provide for the cleansing of the same.

Thirteenth—To regulate the openings therein for the laying of gas or water mains and pipes, and the building and repairing of sewers, tunnels and drains, and erecting gas lights: Provided, however, that any company heretofore organized under the general laws of this state or any association of persons organized, or which may be hereafter organized for the purpose of manufacturing illuminating gas to supply cities or villages, or the inhabitants thereof, with the same, shall have the right, by consent of the common council (subject to existing rights) to erect gas factories and lay down pipes in the streets or alleys of any city or village in this state, subject to such regulations as any such city or village may by ordinance impose.

Fourteenth—To regulate the use of sidewalks and all structures thereunder; and to require the owner or occupant of any premises to keep the sidewalks in front of, or along the same, free from snow and other obstructions.

Fifteenth—To regulate and prevent the throwing or depositing of ashes, offal, dirt, garbage, or any offensive matter in, and to prevent injury to any street, avenue, alley, or public ground.

Sixteenth—To provide for and regulate crosswalks, curbs and gutters.

Seventeenth—To regulate and prevent the use of streets, sidewalks and public grounds for signs, sign posts, awnings, awning posts, telegraph poles, horse troughs, racks, posting hand bills and advertisements.

Eighteenth—To regulate and prohibit the exhibition or carrying of banners, placards, advertisements, or hand bills in the streets or public grounds, or upon the sidewalks.

Nineteenth—To regulate and prevent the flying of flags, banners or signs across the streets or from houses.

Twentieth—To regulate traffic and sales upon the streets, sidewalks and public places.

Twenty-first—To regulate the speed of horses and other animals, vehicles, cars and locomotives within the limits of the corporation.

Twenty-second—To regulate the numbering of houses and lots.

Twenty-third—To name and change the name of any street, avenue, alley or other public place.

Twenty-fourth—To permit, regulate or prohibit the locating, constructing or laying a track of any horse railroad in any street, alley or public place; but such permission shall not be for a longer time than twenty years.

Twenty-fifth—To provide for and change the location, grade and crossings of any railroad.

Twenty-sixth—To require railroad companies to fence their respective railroads, or any portion of the same, and to construct cattle guards, crossings of streets and public roads, and keep the same in repair, within the limits of the corporation. In case any railroad company shall fail to comply with any such ordinance, it shall be liable for all damages the owner of any cattle or horses or other domestic animal may sustain by reason of injuries thereto while on the track of such railroad, in like manner and extent as under the general laws of this state, relative to the fencing of railroads; and actions to recover such damages may be instituted before any justice of the peace or other court of competent jurisdiction.

Twenty-seventh—To require railroad companies to keep flagmen at railroad crossings of streets, and provide protection against injury to persons and property in the use of such railroads. To compel such railroads to raise or lower their railroad tracks to conform to any grade, which may, at any time, be established by such city, and where such tracks run lengthwise of any such street, alley or highway, to keep their railroad tracks on a level with the street surface, and so that such tracks may be crossed at any place on such street, alley or highway. To compel and require railroad companies to make and keep open and to keep in repair ditches, drains, sewers and culverts along and under their railroad tracks so that filthy or stagnant pools of water can not stand on their grounds or right of way, and so that the natural drainage of adjacent property shall not be impeded.

Twenty-eighth—To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

Twenty-ninth—To construct and keep in repair culverts, drains, sewers and cess pools and to regulate the use thereof.

Thirtieth—To deepen, widen, dock, cover, wall, alter or change channel of water courses.



CITY COUNCIL.

Thirty-first—To construct and keep in repair canals and the accommodation of commerce.

Thirty-second—To erect and keep in repair public land wharves, docks and levees.

Thirty-third—To regulate and control the use of public landing places, wharves, docks and levees.

Thirty-fourth—To control and regulate the anchorage, mooring and landing of all water craft and their cargoes within the jurisdiction of the corporation.

Thirty-fifth—To license, regulate and prohibit wharves and other boats used about the harbor, or within such jurisdiction.

Thirty-sixth—To fix the rate of wharfage and dockage.

Thirty-seventh—To collect wharfage and dockage from rafts or other craft landing at or using any public land wharf, dock or levee within the limits of the corporation.

Thirty-eighth—To make regulations in regard to use of towing of vessels, opening and passing of bridges.

Thirty-ninth—To appoint harbor masters and define their duties.

Fortieth—To provide for the cleansing and purification of water-courses and canals, and the draining or filling of private property, whenever necessary to prevent or abate nuisances.

Forty-first—To license, tax, regulate, suppress and prohibit peddlers, pawnbrokers, keepers of ordinaries, theatricals exhibitions, shows and amusements, and to revoke such licenses.

Forty-second—To license, tax and regulate hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, and all other suing like occupations, and to prescribe their compensation.

Forty-third—To license, regulate, tax and restrain runabouts, stages, cars, public houses, or other things or persons.

Forty-fourth—To license, regulate, tax or prohibit and billiard, bagatelle, pigeon-hole or any other tables or implements or used for a similar purpose in any place of public resort, and ball alleys.

Forty-fifth—To suppress bawdy and disorderly houses, and all houses of ill-fame or assignation, within the limits of the city, and within five miles of the outer boundaries of the city; and also to suppress and gambling houses, lotteries, and all fraudulent devices and tricks, for the purpose of gaining or obtaining money or property to prohibit the sale or exhibition of obscene or immoral publications, pictures, or illustrations.

Forty-sixth—To license, regulate and prohibit the selling away of any intoxicating, malt, vinous, mixed or fermented liquors, the license not to extend beyond the municipal year in which it is granted, and to determine the amount to be paid for such

Provided, that the city council in cities, or president and board of trustees in villages, may grant permits to druggists for the sale of liquors for medicinal, mechanical, sacramental and chemical purposes only, subject to forfeiture, and under such restrictions and regulations as may be provided by ordinance: Provided, further, that in granting licenses such corporate authorities shall comply with whatever general law of the State may be in force relative to the granting of licenses.

Forty-seventh—The foregoing shall not be construed to affect the provisions of the charter of any literary institution heretofore granted.

Forty-eighth—And the city council in cities, and president and board of trustees in villages, shall also have the power to forbid and punish the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor to any minor, apprentice or servant or insane idiotic or distracted person, habitual drunkard or person intoxicated.

Forty-ninth—To establish markets and market-houses, and provide for the regulation and use thereof.

Fiftieth—To regulate the sale of meats, poultry, fish, butter, cheese, lard, vegetables, and all other provisions, and to provide for place and manner of selling the same.

Fifty-first—To prevent and punish forestalling and regrating.

Fifty-second—To regulate the sale of bread in the city or village; prescribe the weight and quality of the bread in the loaf.

Fifty-third—To provide for and regulate the inspection of meats, poultry, fish, butter, cheese, lard, vegetables, cotton, tobacco, flour, meal and other provisions.

Fifty-fourth—To regulate the inspection, weighing and measuring of brick, lumber, fire-wood, coal, hay and any article of merchandise.

Fifty-fifth—To provide for the inspection and sealing of weights and measures.

Fifty-sixth—To enforce the keeping and use of proper weights and measures by vendors.

Fifty-seventh—To regulate the construction, repairs and use of vaults, cisterns, areas, hydrants, pumps, sewers and gutters.

Fifty-eighth—To regulate places of amusement.

Fifty-ninth—To prevent intoxication, fighting, quarreling, dog fights, cock fights and all disorderly conduct.

Sixtieth—To regulate partition fences and party walls.

Sixty-first—To prescribe the thickness, strength and manner of constructing stone, brick and other buildings, and construction of fire escapes therein.

Sixty-second—The city council, and the president and trustees in villages, for the purpose of guarding against the calamities of fire, shall have power to prescribe the limits within which wooden build-

ings shall not be erected or placed, or repaired, without permission, and to direct that all and any buildings, within the fire limits, when the same shall have been damaged by fire, decay or otherwise, to the extent of fifty per cent. of the value, shall be torn down or removed, and to prescribe the manner of ascertaining such damage.

Sixty-third—To prevent the dangerous construction and condition of chimneys, fire-places, hearths, stoves, stove-pipes, ovens, boilers and apparatus used in and about any building and manufactory, and to cause the same to be removed or placed in a safe condition when considered dangerous; to regulate and prevent the carrying on of manufactories dangerous in causing and promoting fires; to prevent the deposit of ashes in unsafe places, and to cause all such buildings and enclosures as may be in a dangerous state to be put in a safe condition.

Sixty-fourth—To erect engine houses, and provide fire engines, hose carts, hooks and ladders, and other implements for prevention and extinguishment of fires, and provide for the use and management of the same by voluntary fire companies or otherwise.

Sixty-fifth—To regulate and prevent storage of gunpowder, tar, pitch, resin, coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, petroleum, or any of the products thereof, and other combustible or explosive material, and the use of lights in stables, shops and other places, and the building of bon-fires; also to regulate and restrain the use of fireworks, fire-crackers, torpedoes, Roman candles, sky-rockets and other pyrotechnic displays.

Sixty-sixth—To regulate the police of the city or village, and pass and enforce all necessary police ordinances.

Sixty-seventh—To provide for the inspection of steam boilers.

Sixty-eighth—To prescribe the duties and powers of a superintendent of police, policemen and watchmen.

Sixty-ninth—To establish and erect calaboozes, bridewells, houses of correction and workhouses for the reformation and confinement of vagrants, idle and disorderly persons, and persons convicted of violating any city or village ordinance, and make rules and regulations for the government of the same, and appoint necessary keepers and assistants.

Seventieth—To use the county jail for the confinement or punishment of offenders, subject to such conditions as are imposed by law, and with the consent of the county board.

Seventy-first—To provide by ordinance in regard to the relation between all the officers and employes of the corporation in respect to each other, the corporation and the people.

Seventy-second—To prevent and suppress riots, routs, affrays, noises, disturbances, disorderly assemblies in any public or private place.

Seventy-third—To prohibit and punish cruelty to animals.

Seventy-fourth—To restrain and punish vagrants, mendicants and prostitutes.

Seventy-fifth—To declare what shall be a nuisance, and to abate the same; and to impose fines upon parties who may create, continue or suffer nuisances to exist.

Seventy-sixth—To appoint a board of health, and prescribe its powers and duties.

Seventy-seventh—To erect and establish hospitals and medical dispensaries, and control and regulate the same.

Seventy-eighth—To do all acts, make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease.

Seventy-ninth—To establish and regulate cemeteries within or without the corporation, and acquire lands therefor, by purchase or otherwise, and cause cemeteries to be removed, and prohibit their establishment within one mile of the corporation.

Eightieth—To regulate, restrain and prohibit the running at large of horses, cattle, swine, sheep, goats, geese and dogs, and to impose a tax on dogs.

Eighty-first—To direct the location and regulate the management and construction of packing houses, renderies, tallow chandleries, bone factories, soap factories and tanneries, within the limits of the city or village, and within the distance of one mile without the city or village limits.

Eighty-second—To direct the location and regulate the use and construction of breweries, distilleries, livery stables, blacksmith shops and foundries within the limits of the city or village.

Eighty-third—To prohibit any offensive or unwholesome business or establishment within or within one mile of the limits of the corporation.

Eighty-fourth—To compel the owner of any grocery, cellar, soap or tallow chandlery, tannery, stable, pig-sty, privy, sewer or other unwholesome or nauseous house or place, to cleanse, abate or remove the same, and to regulate the location thereof.

Eighty-fifth—The city council or trustees of a village, shall have power to provide for the taking of the city or village census; but no city or village census shall be taken by authority of the council or trustees oftener than once in three years.

Eighty-sixth—To provide for the erection and care of all public buildings necessary for the use of the city or village.

Eighty-seventh—To establish ferries, toll bridges, and license and regulate the same, and, from time to time, fix tolls thereon.

Eighty-eighth—To authorize the construction of mills, mill-races and feeders on, through or across the streets of the city or village, at such places and under such restrictions as they shall deem proper.

Eighty-ninth—The city council shall have power, by condemnation or otherwise, to extend any street, alley or highway over or across, or to construct any sewer under or through any railroad track, right of way, or land of any railroad company( within the corporate limits); but where no compensation is made to such railroad company the city shall restore such railroad track, right of way, or land to its former state, or in a sufficient manner not to have impaired its usefulness.

Ninetieth—The city council or board of trustees shall have no power to grant the use of or the right to lay down any railroad tracks in any street of the city to any steam, dummy, electric, cable, horse or other railroad company, whether the same shall be incorporated under any general or special law of the State, nor or hereafter in force, except upon the petition of the owners of the land representing more than one half of the frontage of the street, or so much thereof as is sought to be used for railroad purposes, and when the street or part thereof sought to be used shall be more than one mile in extent, no petition of land owners shall be valid unless the same shall be signed by the owners of the land representing more than one half of the frontage of each mile and of the fraction of a mile if any in excess of the whole miles measuring from the initial point named in such petition, of such street or of the part thereof sought to be used for railroad purposes.

Ninety-first—To tax, license and regulate auctioneers, distillers, brewers, lumber yards, livery stables, public scales, money changers and brokers.

Ninety-second—To prevent and regulate the rolling of hoops, playing of ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets or on the sidewalks, or to frighten teams and horses.

Ninety-third—To regulate and prohibit the keeping of any lumber yard, and the placing or piling or selling any lumber, timber, wood or other combustible material, within the fire limits of the city.

Ninety-fourth—To provide by ordinance, that all the paper, printing, stationery, blanks, fuel, and all the supplies needed for the use of the city, shall be furnished by contract let to the lowest bidder.

Ninety-fifth—To tax, license and regulate second-hand and junk stores, and to forbid their purchasing or receiving from minors, without the written consent of their parents or guardians, any article whatsoever.

Ninety-sixth—To pass all ordinances, rules, and make all regulations, proper or necessary, to carry into effect the powers granted to cities or villages, with such fines or penalties as the city council or board of trustees shall deem proper: Provided, no fine or penalty shall exceed two hundred dollars and no imprisonment shall exceed six months for one offense. [As amended by act approved March 30, 1887.]

**AN ACT** to extend the powers of the city council in cities, and the president and board of trustees in villages and incorporated towns. [Approved June 16, 1887.

**Power to license, tax, etc., itinerant merchants, etc.]** Section 1. Be it enacted by the people of the state of Illinois, represented in the general assembly, That the city council in cities, and the president and board of trustees in villages and incorporated towns, shall have power to license, tax, regulate, suppress or prohibit itinerant merchants and transient vendors of merchandise.

(Act of 1872 resumed.)

**Style of ordinances.]** Section 2. The style of the ordinances in cities shall be: "Be it ordained by the city council of....."

**Publication of ordinances—when take effect.]** Section 3. All ordinances of cities and villages imposing any fine, penalty, imprisonment or forfeiture, or making any appropriation, shall, within one month after they are passed, be published at least once in a newspaper published in the city or village, or, if no such newspaper is published therein, by posting copies of the same in three public places in the city or village and no such ordinance shall take effect until ten days after it is so published. And all other ordinances, orders and resolutions shall take effect from and after their passage, unless otherwise provided therein.

**Proof of ordinances.]** Section 4. All ordinances, and the date of publication thereof, may be proven by the certificate of the clerk, under the seal of the corporation. And when printed in book or pamphlet form, and purporting to be published by authority of the board of trustees or the city council, the same need not be otherwise published; and such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, as of the dates mentioned in such book or pamphlet, in all courts and places without further proof.

**Suits for violating ordinances.]** Section 5. All actions brought to recover any fine, or to enforce any penalty, under any ordinance of any city or village, shall be brought in the corporate name of the city or village as plaintiff; and no prosecution, recovery or acquittal for the violation of any such ordinance, shall constitute a defense to any other prosecution of the same party for any other violation of any such ordinance, although the different causes of action existed at the same time, and, if united, would not have exceeded the jurisdiction of the court or magistrate.

**Fines and licenses—paid to treasurer.]** Section 6. All fines and forfeitures for the violation of ordinances, when collected, and all moneys collected for licenses or otherwise, shall be paid into the treasury of the corporation, at such times and in such manner as may be prescribed by ordinance.

**Summons—affidavit—punishment.]** Section 7. In all actions for the violation of any ordinance, the first process shall be a summons: Provided, however, that a warrant for the arrest of the offender may issue in the first instance upon the affidavit of any person that any such ordinance has been violated, and that the person making the complaint has reasonable grounds to believe the party charged is guilty thereof; and any person arrested upon such warrant shall, without unnecessary delay, be taken before the proper officer to be tried for the alleged offense. Any person upon whom any fine or penalty shall be imposed, may, upon the order of the court or magistrate before whom the conviction is had, be committed to the county jail or the calaboose, city prison, workhouse, house of correction, or other place provided by the city or village for the incarceration of offenders, until such fine, penalty and cost shall be fully paid: Provided, that no such imprisonment shall exceed six months for any one offense. The city council or board of trustees shall have power to provide, by ordinance, that every person so committed shall be required to work for the corporation, at such labor as his or her strength will permit, within and without such prison, workhouse, house of correction, or other place provided for the incarceration of such offenders, not exceeding ten hours each working day; and for such work the person so employed to be allowed, exclusive of his or her board, \$2 for each day's work on account of such fine and cost.

**Jurisdiction of justices, etc.]** Section 8. Any and all justices of the peace and police magistrates shall have jurisdiction in all cases arising under the provisions of this act, or any ordinance passed in pursuance thereof.

**Constable or sheriff may serve process, etc.]** Section 9. Any constable or sheriff of the county may serve any process, or make any arrests authorized to be made by any city officer.

**Jurisdiction over waters—streets labor.]** Section 10. The city or village government shall have jurisdiction upon all waters within or bordering upon the same, to the extent of three miles beyond the limits of the city or village, but not to exceed the limits of the state; and may, by ordinance, require every able-bodied male inhabitant of such city or village, above the age of twenty-one years and under the age of fifty years (excepting paupers, idiots, lunatics, and such others as are exempt by law), to labor on the streets and alleys of such city or village, not more than three days in each year, but such ordinance shall provide for commutation of such labor at not more than one dollar and fifty cents per day. [As amended by act approved April 10, 1875.]

## ARTICLE VI.

## OFFICERS—THEIR POWERS AND DUTIES.

**Officers.]** Section 1. There shall be elected, in all cities organized under this act, the following officers, viz.: a mayor, a city council, a city clerk, city attorney, and a city treasurer.

**Other officers—duties of city marshal.]** Section 2. The city council may, in its discretion, from time to time, by ordinance passed by a vote of two-thirds of all the aldermen elected, provide for the election by the legal voters of the city, or the appointment by the mayor, with the approval of the city council, of a city collector, a city marshal, a city superintendent of streets, a corporation counsel, a city comptroller, or any or either of them, and such other officers as may by said council be deemed necessary or expedient. The city council may, by a like vote, by ordinance or resolution, to take effect at the end of the then fiscal year, discontinue any office so created, and devolve the duties thereof on any other city officer; and no officer filling any such office so discontinued, shall have any claim against the city on account of his salary, after such discontinuance. The city marshal shall perform such duties as shall be prescribed by the city council for the preservation of the public peace, and the observance and enforcement of the ordinances and laws; he shall possess the power and authority of a constable at common law, and under the statutes of this state.

**Appointment—vacancies—duties—powers.]** Section 3. All officers of any city, except where herein otherwise provided, shall be appointed by the mayor (and vacancies in all offices except the mayor and aldermen shall be filled by like appointment) by and with the advice and consent of the city council. The city council may, by ordinance not inconsistent with the provisions of this act, prescribe the duties and define the powers of all such officers, together with the term of any such office: Provided, the term shall not exceed two years.

**Oath—bond.]** Section 4. All officers of any city or village, whether elected or appointed, shall, before entering upon the duties of their respective offices, take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm, as the case may be,) that I will support the constitution of the United States, and the constitution of the state of Illinois, and that I will faithfully discharge the duties of the office of.....according to the best of my ability.

Which oath or affirmation, so subscribed, shall be filed in the office of the clerk. And all such officers, except aldermen and trustees, shall, before entering upon the duties of their respective offices, execute a bond with security, to be approved by the city council or board



of trustees, payable to the city or village, in such penal sum as may, by resolution or ordinance, be directed, conditioned for the faithful performance of the duties of the office and the payment of all moneys received by such officer, according to law and the ordinances of said city or village: Provided, however, that in no case shall the mayor's bond be fixed at a less sum than three thousand dollars; nor shall the treasurer's bond be fixed at a less sum than the amount of the estimated tax and special assessments for the current year—which bonds shall be filed with the clerk (except the bond of the clerk, which shall be filed with the treasurer).

**Commission—certificate—delivery to successors.]** Section 5. All officers elected or appointed under this act (except the clerk, aldermen and mayor, and trustees) shall be commissioned by warrant, under the corporate seal, signed by the clerk and the mayor or presiding officer of the city council or board of trustees. The mayor or president of the board of trustees shall issue a certificate of appointment or election, under the seal of the corporation, to the clerk thereof, and any person having been an officer of the city or village, shall within five days after notification and request, deliver to his successor in office all property, books and effects of every description in his possession, belonging to the city or village, or appertaining to his said office; and upon his refusal to do so, shall be liable for all the damages caused thereby, and to such penalty as may by ordinance be prescribed.

**Qualification of officers.]** Section 6. No person shall be eligible to any office who is not a qualified elector of the city or village and who shall not have resided therein at least one year next preceding his election or appointment. Nor shall any person be eligible to any office who is a defaulter to the corporation: Provided, however, this shall not apply to the appointment or election of city engineer in incorporated cities and villages: And provided, that the same shall not apply to appointment of attorneys in incorporated villages, if such appointee be not a defaulter to the corporation. [As amended by Act approved June 21, 1895.]

**Not interested in contracts, etc.]** Section 7. No officer shall be directly or indirectly interested in any contract, work or business of the city, or the sale of any article, the expense, price or consideration of which is paid from the treasury, or by any assessment levied by any act or ordinance; nor in the purchase of any real estate or other property belonging to the corporation, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of said corporation.

**Bribery—penalty.]** Section 8. Every person who shall promise, offer or give, or cause, or aid, or abet in causing to be promised, offered or given, or furnish or agree to furnish, in whole or in part, to be promised, offered or given to any member of the city council or

board of trustees, or any officer of the corporation, after or before his election or appointment as such officer, any moneys, goods, right in action, or other property or anything of value, or any pecuniary advantage, present or prospective, with intent to influence his vote, opinion, judgment or action on any question, matter, cause or proceeding which may be then pending, or may by law be brought before him in his official capacity, shall, upon conviction, be imprisoned in the penitentiary for a term not exceeding two years, or shall be fined not exceeding five thousand dollars or both, in the discretion of the court. Every officer who shall accept any such gift or promise, or undertaking to make the same under any agreement or understanding that his vote, opinion, judgment or action shall be influenced thereby, or shall be given in any question, matter, cause or proceeding then pending, or which may by law be brought before him in his official capacity, shall, upon conviction, be disqualified from holding any public office, trust or appointment under the city or village, and shall forfeit his office, and shall be punished by imprisonment in the penitentiary not exceeding two years, or by a fine not exceeding five thousand dollars, or both, in the discretion of the court. Every person offending against either of the provisions of this section shall be a competent witness against any other person offending in the same transaction, and may be compelled to appear and give evidence before any grand jury or in any court in the same manner as other persons; but the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying.

**Mayor, etc., not to hold other office.]** Section 9. No mayor, alderman, city clerk, or treasurer, shall hold any other office under the city government during his term of office.

**Duties of clerk.]** Section 10. The clerk shall keep the corporate seal, to be provided under the direction of the city council or board of trustees, and all papers belonging to the city or village; he shall attend all meetings of the city council or board of trustees, and keep a full record of its proceedings in the journal; and copies of all papers duly filed in his office, and transcripts from the journals and other records and files of his office, certified by him under the corporate seal, shall be evidence in all courts in like manner as if the originals were produced.

**Record of ordinances.]** Section 11. The clerk shall record, in a book to be kept for that purpose, all ordinances passed by the city council or board of trustees, and at the foot of the record of each ordinance so recorded shall make a memorandum of the date of the passage and of the publication or posting of such ordinance, which record and memorandum, or a certified copy thereof, shall be *prima facie* evidence of the passage and legal publication or posting of such ordinances for all purposes whatsoever.

**Conservators of the peace—powers of.]** Section 12. The trustees in villages, the mayor, aldermen, and the marshal and his deputies, policemen and watchmen in cities, if any such be appointed, shall be conservators of the peace, and all officers created conservators of the peace by this act, or authorized by any ordinance, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break the peace, or be found violating any ordinance of the city or village, or any criminal law of the State, commit for examination and, if necessary, detain such persons in custody over night or Sunday in the watch house or any other safe place, or until they can be brought before the proper magistrate, and shall have and exercise such other powers as conservators of the peace as the city council or board of trustees may prescribe. All warrants for the violation of ordinances, and all criminal warrants to whomsoever directed, may be served and executed within the corporate limits of any such city or village by any policeman of such city or village; such policeman being hereby clothed with all the common law and statutory power of constables for such purposes. [As amended by act approved June 14, 1883.]

**Compensation of mayor.]** Section 13. The mayor of any city shall receive such compensation as the city council may by ordinance direct, but his compensation shall not be changed during his term of office.

**Compensation of aldermen and trustees.]** Section 14. The aldermen and trustees may receive such compensation for their services as shall be fixed by the ordinances: Provided, however, that in cities of less than three hundred fifty thousand inhabitants such compensation shall not exceed the sum of three dollars to each alderman for each meeting of the city council or board of trustees actually attended by him; in cities of more than three hundred fifty thousand inhabitants such compensation shall not exceed the sum of fifteen hundred dollars per annum for each alderman, and in villages the compensation to trustees shall not exceed the sum of one dollar and fifty cents for each meeting of the board of trustees actually attended by such trustees. No other salary or compensation shall be allowed any alderman or trustee: Provided, further that this act shall apply to all cities, towns and villages in this State whether incorporated under a general or special law, and that in all such villages and incorporated towns the trustees thereof shall receive compensation for not more than one meeting in each week. [As amended by act approved May 26, 1897.]

**Compensation of other officers.]** Section 15. All other officers may receive a salary, fees, or other compensation to be fixed by ordinance, and after the same has been once fixed, such fees or compensation shall not be increased or diminished, to take effect during the term for which any such officer was elected or appointed; and every

such officer shall make and return to the mayor, or president of the board of trustees, a semi-annual report, verified by affidavit, of all such fees and emoluments received by him.

**Administering oaths.]** Section 16. The mayor of any city, and the clerk of any city or village, shall have power to administer oaths and affirmations upon all lawful occasions.

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## ARTICLE VII.

### OF FINANCE.

**Fiscal year.]** Section 1. The fiscal year of each city or village organized under this act shall commence at the date established by law for the annual election of municipal officers therein, or at such other times as may be fixed by ordinance.

**Annual appropriation ordinance.]** Section 2. The city council of cities, and board of trustees in villages, shall, within the first quarter of each fiscal year, pass an ordinance to be termed the annual appropriation bill, in which such corporate authorities may appropriate such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities of such corporation; and in such ordinance shall specify the objects and purposes for which such appropriations are made, and the amount appropriated for each object or purpose. No further appropriations shall be made at any other time within such fiscal year, unless the proposition to make each appropriation has been first sanctioned by a majority of the legal voters of such city or village, either by a petition signed by them, or at a general or special election duly called therefor.

**Limitation—emergency—borrowing money.]** Section 3. Neither the city council nor the board of trustees, nor any department or officer of the corporation, shall add to the corporation expenditures in any one year anything over and above the amount provided for in the annual appropriation bill of that year, except as is herein otherwise specially provided; and no expenditure for an improvement to be paid for out of the general fund of the corporation shall exceed, in any one year, the amount provided for such improvement in the annual appropriation bill: Provided, however, that nothing herein contained shall prevent the city council or board of trustees from ordering, by a two-thirds vote, any improvement, the necessity of which is caused by any casualty or accident happening after such annual appropriation is made. The city council or board of trustees may, by a like vote, order the mayor or president of the board of trustees and finance committee to borrow a sufficient amount to provide for the expense necessary to be incurred in making any improvements, the ne-

cessity of which has arisen as is last above mentioned, for a space of time not exceeding the close of the next fiscal year—which sum, and the interest, shall be added to the amount authorized to be raised in the next general tax levy, and embraced therein. Should any judgment be obtained against the corporation, the mayor, or president of the board of trustees and finance committee, under the sanction of the city council or board of trustees, may borrow a sufficient amount to pay the same, for a space of time not exceeding the close of the next fiscal year—which sum and interest shall, in like manner, be added to the amount authorized to be raised in the general tax levy of the next year, and embraced therein.

**Contracting liabilities limited.]** Section 4. No contract shall be hereafter made by the city council or board of trustees, or any committee or member thereof; and no expense shall be incurred by any of the officers or departments of the corporation, whether the object of the expenditure shall have been ordered by the city council or board of trustees or not, unless an appropriation shall have been previously made concerning such expense, except as herein otherwise expressly provided.

**Duties of treasurer.]** Section 5. The treasurer shall receive all moneys belonging to the corporation, and shall keep his books and accounts in such manner as may be prescribed by ordinance, and such books and accounts shall always be subject to the inspection of any member of the city council or board of trustees.

**Separate accounts.]** Section 6. He shall keep a separate account of each fund or appropriation, and the debts and credits belonging thereto.

**Receipts.]** Section 7. He shall give every person paying money into the treasury a receipt therefor, specifying the date of payment, and upon what account paid; and he shall also file copies of such receipts with the clerk, at the date of his monthly reports.

**Monthly statements — warrants — vouchers — register.]** Section 8. The treasurer shall, at the end of each and every month, and oftener if required, render an account to the city council or board of trustees, or such officer as may be designated by ordinance (under oath), showing the state of the treasury at the date of such account, and the balance of money in the treasury. He shall also accompany such accounts with a statement of all moneys received into the treasury, and on what account, together with all warrants redeemed and paid by him; which said warrants, with any and all vouchers held by him, shall be delivered to the clerk, and filed with his said account in the clerk's office, upon every day of such settlement. He shall return all warrants paid by him stamped or marked "paid." He shall keep a register of all warrants redeemed and paid, which shall describe such warrants, and show the date, amount, number, the fund from which paid, the name of the person to whom and when paid.

**Deposit of funds—separate from his.]** Section 9. The treasurer may be required to keep all moneys in his hands, belonging to the corporation, in such place or places of deposit as may be designated by ordinance: Provided, however, no such ordinance shall be passed by which the custody of such money shall be taken from the treasurer and deposited elsewhere than in some regularly organized bank, nor without a bond to be taken from such bank, in such penal sum and with such security as the city council or board of trustees shall direct and approve, sufficient to save the corporation from any loss; but such penal sum shall not be less than the estimated receipts for the current year from taxes and special assessments levied, or to be levied, by the corporation. The treasurer shall keep all moneys belonging to the corporation in his hands separate and distinct from his own moneys, and he is hereby expressly prohibited from using, either directly or indirectly, the corporation money or warrants in his custody and keeping, for his own use and benefit, or that of any other person or persons whomsoever; and any violation of this provision shall subject him to immediate removal from office by the city council or board of trustees, who are hereby authorized to declare said office vacant; and in which case his successor shall be appointed, who shall hold his office for the remainder of the term unexpired of such officer so removed.

**Treasurer's annual report—publication.]** Section 10. The treasurer shall report to the city council or board of trustees, as often as required, a full and detailed account of all receipts and expenditures of the corporation, as shown by his books, up to the time of said report; and he shall, annually, between the first and tenth of April, make out and file with the clerk a full and detailed account of all such receipts and expenditures, and of all his transactions, as such treasurer, during the preceding fiscal year, and shall show in such account the state of the treasury at the close of the fiscal year; which account the clerk shall immediately cause to be published in a newspaper printed in such city, if there be one, and if not, then by posting the same in a public place in the clerk's office.

**Warrants.]** Section 11. All warrants drawn upon the treasurer must be signed by the mayor and countersigned by the clerk, stating the particular fund or appropriation to which the same is chargeable, and the person to whom payable; and no money shall be otherwise paid than upon such warrants so drawn, except as hereinafter provided.

**Special assessment funds kept separate.]** Section 12. All moneys received on any special assessment shall be held by the treasurer as a special fund, to be applied to the payment of the improvement for which the assessment was made, and said money shall be used for no other purpose whatever, unless to reimburse such corporation for money expended for such improvement.

## CITY COLLECTOR.

**His duties.]** Section 13. It shall be the duty of the collector, when one is appointed, to preserve all warrants which are returned into his hands, and he shall keep such books and his accounts in such manner as the city council may prescribe. Such warrants, books, and all papers pertaining to his office, shall at all times be open to the inspection of and subject to the examination of the mayor, city clerk, any member of the council, or committee thereof. He shall weekly, and oftener if required by the council, pay over to the treasurer all moneys collected by him from any source whatever, taking such treasurer's receipt therefor, which receipt he shall immediately file with the city clerk; but the city clerk shall, at the time, or on demand, give such tax collector a copy of any such receipt so filed.

**He shall report, etc.—publication.]** Section 14. He shall make a report, in writing, to the council, or any officer designated by the council, of all moneys collected by him, the account whereon collected, or of any other matter in connection with his office, when required by the council or by any ordinance of the city. He shall also, annually, between the first and tenth of April, file with the clerk a statement of all the moneys collected by him during the year, the particular warrant, special assessment or account on which collected, the balance of moneys uncollected on all warrants in his hands, and the balance remaining uncollected at the time of the return on all warrants which he shall have returned, during the preceding fiscal year, to the city clerk. The city clerk shall publish or post the same, as hereinbefore required to be done in regard to the annual report of the treasurer.

**Not to detain money—penalty.]** Section 15. The collector is hereby expressly prohibited from keeping the moneys of the city in his hands, or in the hands of any person or corporation, to his use, beyond the time which may be prescribed for the payment of the same to the treasurer, and any violation of this provision will subject him to immediate removal from office.

**Examination of his books—paying over.]** Section 16. All the city collector's papers, books, warrants and vouchers may be examined at any time by the mayor or clerk, or any member of the city council; and the collector shall every two weeks, or oftener if the city council so direct, pay over all money collected by him from any person or persons, or associations, to the treasurer, taking his receipt therefor in duplicate, one of which receipts he shall at once file in the office of the clerk.

## CITY COMPTROLLER.

**His powers and duties.]** Section 17. The city comptroller (if there shall be any city comptroller appointed, if not, then the clerk) shall exercise a general supervision over all the officers of the corpo-

ration charged in any manner with the receipt, collection or disbursement of corporation revenues, and the collection and return of all such revenues into the treasury. He shall have the charge, custody and control of all deeds, leases, warrants, vouchers, books and papers of any kind, the custody and control of which is not herein given to any other officers; and he shall, on or before the fifteenth day of May, in each year, and before the annual appropriations to be made by the city council or the board of trustees, submit to the city council or board of trustees a report of his estimates, as nearly as may be, of moneys necessary to defray the expenses of the corporation during the current fiscal year. He shall, in said report, class the different objects and branches of expenditures, giving, as nearly as may be, the amount required for each; and for the purpose of making such report, he is authorized to require of all officers their statement of the condition and expenses of their respective offices or departments, with any proposed improvements and the probable expense thereof, all contracts made and unfinished, and the amount of any and all unexpended appropriations of the preceding year. He shall, in such report, show the aggregate income of the preceding fiscal year, from all sources, the amount of liabilities outstanding upon which interest is to be paid, the bonds and debts payable during the year, when due and when payable; and in such report he shall give such other information to the council or board of trustees as he may deem necessary, to the end that the city council or board of trustees may fully understand the money exigencies and demands upon the corporation for the current year.

**Council may define the duties—transfer of clerk's financial duties.]**

Section 18. When there shall be appointed in any city a comptroller, the city council may, by ordinance or resolution, confer upon him such powers, and provide for the performance of such duties by him, as the city council shall deem necessary and proper; and all the provisions of this act relating to the duties of city clerk, or the powers of city clerk in connection with the finances, the treasurer and collector or the receipt and disbursements of the moneys of such city, shall be exercised and performed by such comptroller, if one there shall be appointed; and to that end and purpose, wherever in this act heretofore the word "clerk" is used, it shall be held to mean "comptroller;" and wherever the "clerk's office" is referred to, it shall be held to mean "comptroller's office."

**Record of bonds issued by city.]** Section 19. The comptroller when there shall be a comptroller, and if not, then the clerk, shall keep in his office, in a book or books kept expressly for that purpose, a correct list of all the outstanding bonds of the city, showing the number and amount of each, for and to whom the said bonds are issued; and when any city bonds are purchased, or paid, or canceled, said book or books shall show the fact; and in his annual report he



shall describe, particularly, the bonds sold during the year, and the terms of sale, with each and every item of expense thereof.

#### GENERAL PROVISIONS.

**Further duties may be required.]** Section 20. The collector and treasurer, and all other officers connected with the receipt and expenditure of money, shall perform such other duties, and be subject to such other rules and regulations as the city council or board of trustees may, from time to time by ordinance, provide and establish.

**Appeal to finance committee.]** Section 21. In the adjustment of the accounts of the collector or treasurer with the clerk (or comptroller if there shall be one), there shall be an appeal to the finance committee of the council or board of trustees, whose decision in all matters of controversy arising between said officers shall be binding, unless the city council or board of trustees shall otherwise direct and provide.

**Who may appoint subordinates.]** Section 22. The comptroller (if there shall be one), the clerk, treasurer and collector, shall, severally, appoint such various clerks and subordinates in their respective offices as the city council or board of trustees may authorize, and shall be held, severally, responsible for the fidelity of all persons so appointed by them.

**Foreign insurance companies — license, etc. — penalties.]** Section 23. All corporations, companies or associations not incorporated under the laws of this state, engaged in any city in effecting fire insurance, shall pay to the treasurer the sum of two dollars upon the one hundred dollars of the net receipts by their agency in such city, and at that rate upon the amount of all premiums which, during the half year ending on every first day of July and January, shall have been received for any insurance effected or agreed to be effected in the city or village, by or with such corporations, companies or associations, respectively. Every person who shall act in any city or village as agent, or otherwise, for or on behalf of any such corporation, company or association, shall, on or before the fifteenth day of July and January, in each year, render to the comptroller (if any there be, if not, to the clerk,) a full, true and just account, verified by his oath, of all premiums which, during the half year ending on every first day of July and January preceding such report, shall have been received by him, or any other person for him, in behalf of any such corporation, company or association, and shall specify in said account the amounts received for fire insurance. Such agents shall also pay over to the treasurer, at the time of rendering the aforesaid account, the amount of rates for which the company or companies represented by them are severally chargeable by virtue hereof. If such account be not rendered on or before the day hereinbefore designated for that

purpose, or if the said rates shall remain unpaid after that day, it shall be unlawful for any corporation, company or association so in default to transact any business of insurance in any such city or village, until the said requisitions shall have been fully complied with; but this provision shall not relieve any company from the payment of any risk that may be taken in violation hereof. Any person or persons violating any of the provisions of this section shall be subject to indictment, and upon conviction thereof, in any court of competent jurisdiction, shall be fined in any sum not exceeding one thousand dollars, or imprisoned not exceeding six months, or both, in the discretion of the court. Said rates may also be recovered of such corporation, company or association, or its agent, by action in the name and for the use of any such city or village, as for money had and received for its use: Provided, that this section shall only apply to such cities and villages as have an organized fire department, or maintain some organization for the prevention of fires.

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#### ARTICLE VIII.

##### OF THE ASSESSMENT AND COLLECTION OF TAXES.

**Ordinance of levying tax—limitations.]** Section 1. The city council in cities and boards of trustees in villages may levy and collect taxes for corporate purposes in the manner following: The city council or boards of trustees, as the case may be, shall, annually, on or before the third Tuesday in September in each year, ascertain the total amount of appropriations for all corporate purposes legally made and to be collected from the tax levy of that fiscal year; and by an ordinance specifying in detail the purposes for which such appropriations are made and the sum or amount appropriated for each purpose respectively, levy the amount so ascertained upon all the property subject to taxation within the city or village as the same is assessed and equalized for State and county purposes for the current year. A certified copy of such ordinance shall be filed with the county clerk of the proper county, whose duty it shall be to ascertain the rate per cent which, upon the total valuation of all property subject to taxation within the city or village as the same is assessed and equalized for State and county purposes, will produce a net amount of not less than the amount so directed to be levied, and it shall be the duty of the county clerk to extend such tax in a separate column upon the book or books of the collector or collectors of State and county taxes within such city or village. And where the corporate limits of any city or village shall lie partly in two or more counties, the city council or board of trustees shall ascertain the total amount

of all taxable property lying within the corporate limits of said city or village in each county as the same is assessed and equalized for State and county purposes for the current year, and certify the amount of taxable property in each county within said city or village, under the seal of said city or village, to the county clerk of the county where the seat of government of such city or village is situated, whose duty it shall be to ascertain the rate per cent which, upon the total valuation of all property subject to taxation within the city or village, ascertained as aforesaid, will produce a net amount not less than the amount so directed to be levied; and said clerk shall, as soon as said rate per cent of taxation is ascertained, certify under his hand and seal of office to the county clerk of any other county wherein a portion of said city or village is situate, such rate per cent, and it shall be the duty of such county clerk to whom such rate per cent is certified to extend such tax in a separate column upon the book or books of the collector or collectors of the State and county taxes for such county against all property in his county within the limits of said city or village: Provided, the aggregate amount of taxes levied for any one year, exclusive of the amount levied for the payment of bonded indebtedness or interest thereon, shall not exceed the rate of two per centum upon the aggregate valuation of all property within such city or village subject to taxation therein, as the same was equalized for State and county taxes for the current year.

And, provided further, that nothing herein contained shall be held to repeal or modify the limitations contained in section forty-nine of an act entitled, "An act for the assessment of property and providing the means therefor, and to repeal a certain act therein named, approved Feb. 25, 1898." [As amended by act approved April 22, 1899.]

**Manner of collecting.]** Section 2. The tax so assessed shall be collected and enforced in the same manner and by the same officers as state and county taxes, and shall be paid over by the officers collecting the same to the treasurer of the city or village.

**Time of paying over.]** Section 3. It shall be the duty of the officer collecting such tax to settle with and pay over to such treasurer, as often as once in two weeks from the time he shall commence the collection thereof, all such taxes as he shall then have collected, till the whole tax collected shall be paid over.

**When tax levied for particular purpose.]** Section 4. Whenever any city or village is required to levy a tax for the payment of any particular debt, appropriation or liability of the same, the tax for such purpose shall be included in the total amount assessed by the city council or board of trustees, and certified to the county clerk as aforesaid; but the city council or board of trustees shall determine, in the ordinance making such assessment, what proportion of such total

amount shall be applicable to the payment of such particular debt, appropriation or liability; and the city or village treasurer shall set apart such proportion of the tax collected and paid to him for the payment of such particular debt, appropriation or liability, and shall not disburse the same for any other purpose until such debt, appropriation or liability shall have been discharged.

**Uniformity.]** Section 5. All taxes levied or assessed by any city or village, except special assessments for local improvements, shall be uniform upon all taxable property and persons within the limits of the city, and no property shall be exempt therefrom other than such property as may be exempt from taxation under the constitution and general laws of the state.

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## ARTICLE IX.

### SPECIAL ASSESSMENTS FOR LOCAL IMPROVEMENTS.

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**How contracts let—approval.]** Section 50. All contracts for the making of any public improvement, to be paid for in whole or in part by a special assessment, and any work or other public improvement, when the expense thereof shall exceed five hundred dollars, shall be let to the lowest responsible bidder, in the manner to be prescribed by ordinance—such contracts to be approved by the mayor or president of the board of trustees: Provided, however, any such contract may be entered into by the proper officer without advertising for bids, and without such approval, by a vote of two-thirds of all the aldermen or trustees elected.

**NOTE:** The supreme court has held that this section is still in force and effect in so far as it relates to "any work or other public improvement" to be paid for, otherwise than by special assessment. (See *City of Chicago vs. Hanreddy*, 211 Ills. 24.)

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## ARTICLE X.

### MISCELLANEOUS PROVISIONS—WATER.

**Water—borrow money.]** Section 1. The city council or board of trustees shall have the power to provide for a supply of water by the boring and sinking of artesian wells, or by the construction and regulation of wells, pumps, cisterns, reservoirs or water works, and to borrow money therefor, and to authorize any person or private corporation to construct and maintain the same at such rates as may be

fixed by ordinance, and for a period not exceeding thirty years; also to prevent the unnecessary waste of water; to prevent the pollution of the water, and injuries to such wells, pumps, cisterns, reservoirs or water works.

**Acquiring property for water works—jurisdiction over.]** Section 2. For the purpose of establishing or supplying water works, any city or village may go beyond its territorial limits, and may take, hold and acquire property by purchase or otherwise; shall have power to take and condemn all necessary lands or property therefor, in the manner provided for the taking or injuring private property for public uses; and the jurisdiction of the city or village to prevent or punish any pollution or injury to the stream or source of water, or to such water works, shall extend five miles beyond its corporate limits, or so far as such water works may extend.

**Regulations—rates, taxation, etc.]** Section 3. The city council or board of trustees shall have power to make all needful rules and regulations concerning the use of water supplied by the water works of said city or village, and to do all acts and make such rules and regulations for the construction, completion, management or control of the water works, and for the levying and collecting of any water taxes, rates or assessments as the said city council or board of trustees may deem necessary and expedient; and such water taxes, rents, rates or assessments may be levied or assessed upon any lot or parcel of ground, having a building or buildings thereon, which shall abut or join any street, avenue or alley in such city or village through which the distributing pipes of such water works (if any) of said city or village are or may be laid, which can be conveniently supplied with water from said pipes: Provided, [whether] the water shall be used on such lot or parcel of ground or not; and the same, when so levied or assessed, shall become a continuing lien or charge upon such lot or parcel of ground, building or buildings, situated thereon, and such lien or charge may be collected or enforced in such manner as the city council may, by ordinance, prescribe. And the corporate authorities may levy a general tax for the construction and maintenance of such water works, and appropriate money therefor.

**Tax-payer may enforce rights in name of city, etc.]** Section 4. A suit may be brought by any tax-payer, in the name and for the benefit of the city or village, against any person or corporation, to recover any money or property belonging to the city or village, or for any money which may have been paid, expended, or released without authority of law: Provided, that such tax-payer shall file a bond for all costs, and be liable for all costs in case the city or village be cast in the suit, and judgment shall be rendered accordingly.

**Maps—approval of.]** Section 5. The city council or board of trustees shall have power to provide, by ordinance, that any map, plat,

or subdivision of any block, lot, sub-lot, or part thereof, or of any piece or parcel of land, shall be submitted to the city council or board of trustees, or to some officer to be designated by such council or board of trustees, for their or his approval; and in such cases no such map, plat or subdivision shall be entitled to record in the proper county, or have any validity until it shall have been so approved.

**Inhabitants competent as jurors, etc.]** Section 6. No person shall be an incompetent judge, justice or juror, by reason of his being an inhabitant or freeholder in said city or village, in any action or proceeding in which said city or village may be a party in interest.

**Population—census.]** Section 7. Whenever in this act any provision thereof is based upon the number of inhabitants, [the number of inhabitants] of the city or village shall be determined by reference to the latest census taken by authority of the United States or this state, or of such city or village; and it shall be the duty of the secretary of state, upon the publication of any state or United States census, to certify to each city or village the number of inhabitants, as shown by such census. Any city or village may, by ordinance, provide for the taking of a census of the population thereof, in order to determine the number of such population for any and all purposes of this act. And the several courts in this state shall take judicial notice of the population of any city or village, as the same may appear from the latest federal, state, city or village census so taken.

**Municipal year.]** Section 8. The term "municipal year" shall be construed to mean the period elapsing between the regular annual elections unless otherwise provided by ordinance.

**City or village need not give appeal bond.]** Section 9. When in any suit the city or village prays an appeal from the judgment of any court of this state to a higher court, it shall not be required to furnish an appeal bond.

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## CHICAGO ERRING WOMEN'S REFUGE.

**AN ACT** for the benefit of the Chicago Erring Women's Refuge for Reform and the House of the Good Shepherd of Chicago. [Approved March 31, 1869.]

**Section 1.** Be it enacted by the People of the State of Illinois, represented in the General Assembly: That all the fines collected by the city of Chicago, from keepers, inmates and visitors of houses of prostitution and from any person in any way connected therewith, shall be set aside by said city of Chicago for the sole use and benefit of the Chicago Erring Women's Refuge for Reform and the House of

the Good Shepherd, in said city, and shall be equally divided between said two institutions.

Section 2. The board of trustees of said Erring Women's Refuge, and the superior and assistant of said House of the Good Shepherd, shall have power to draw, monthly, upon said fund, by their respective checks—that of the former to be drawn by the president, and countersigned by the secretary, and that of the latter to be drawn by the superior, and countersigned by the assistant superior; said checks to be drawn upon the treasurer or other custodian having said moneys in control or possession.

Section 3. Each of the aforesaid institutions shall render an annual account of the expenditures and receipts to the common council of said city.

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## ELEVATORS.

**AN ACT to insure better protection of the public from accidents arising out of elevator service. [Approved May 13, 1903.]**

**Municipal authorities may require operators to be licensed.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the city council in cities and the board of trustees in towns and villages, shall have the power to adopt ordinances within their respective limits to provide for the examining, licensing, and regulation of persons having charge or control as starters or operators of all freight and passenger elevators run by hydraulic, electric, steam, water balance, compressed air or any other motive power, and to fix the amount of charges, terms and manner of issuing and revoking licenses to such persons; and to provide that it shall not be lawful for any person or persons to exercise, within the limits of the respective cities, towns and villages which may adopt such ordinance, the business of operating freight or passenger elevators, or the business of controlling the running of such elevators as starters or operators, without a license: and, to provide that any person violating the provisions of such ordinance shall be liable to a penalty for each breach thereof.

**Examinations provided for.]** Section 2. Such cities, towns and villages so adopting such ordinances shall have power to require that all persons engaged in such occupation within their jurisdiction shall be of a certain age, and shall submit to an examination by a competent examiner, who shall be a practical and experienced elevator starter or operator, or board of such examiners to be appointed by the mayor or president of the board of trustees of such cities, towns and villages touching their competency and qualifications in regard to

such occupation, with power to such examiner or board of examiners to license such persons as may be found capable and trustworthy in that behalf.

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## GAS FRONTAGE CONSENTS.

### LAYING GAS PIPES, ERECTING ELECTRIC POLES FOR LIGHTING AND HEATING PURPOSES—FRONTAGE.

AN ACT to regulate and prescribe the conditions for the granting of rights and privileges for lighting and heating purposes by cities, villages and incorporated towns, and providing a remedy by the property owner where such conditions have not been complied with. [Approved June 5, 1897.]

Condition upon which privileges to lay pipes or string wires for lighting purposes in streets may be granted—remedy of property owners.] Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the city council in cities, or the president and board of trustees in villages and incorporated towns shall have no power to pass an ordinance granting to any person or corporation the right or privilege to lay any gas pipes for the distribution of inflammable gas for fuel or lighting purposes, or to pass an ordinance granting to any person or corporation the right or privilege to lay in or on the ground, or string on poles any wires on, over or by which electricity for lighting purposes is to be used, conveyed or distributed in any street, alley or public grounds in any such city, village or incorporated town, except upon the petition of the owner of the land representing more than one-half of the frontage on the street or alley, or so much thereof as is sought to be used for the purposes above mentioned, or any or either of them, and when the street or alley, or part thereof sought to be used shall be more than one mile in length, no right or privilege to lay pipes, or lay or string wires for lighting purposes shall be granted, unless a petition therefor shall be presented to the city council of the city, or board of trustees of the incorporated town or village in which such right or privilege is sought, signed by the owners of the land representing more than one-half of the frontage of each mile, and of the fraction of a mile, if any, in excess of the whole mile, measuring from the initial point named in such petition, of such street or alley, or of the part thereof sought to be used for the purposes above mentioned, or either of them. Any person being the owner of, or interested in any lot fronting on any street or alley, or part thereof, as is sought to be used for any or either of such purposes, shall have the right of bill in chancery, in his or their own name, to enjoin any person or corporation from using such street or alley, or part of street or alley for either



of such purposes, under any grant by the city council or board of trustees, which is not made in conformity with the provisions hereof, and the sufficiency of the petition herein required, shall be ascertained by the court in which such bill in chancery may be filed.

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## HOUSES OF CORRECTION.

**AN ACT to establish houses of correction, and authorize the confinement of convicted persons therein. [Approved April 25, 1871.]**

**Cities may establish.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That it shall be lawful for the municipal authorities of any city within this state to establish a house of correction, which shall be used for the confinement and punishment of criminals, or persons sentenced or committed thereto under the provisions of this act, or any law of this State, or ordinance of any city or village, authorizing the confinement of convicted persons, in any such house of correction. [As amended by act approved May 31, 1879.]

**Inspectors—appointment—term of office.]** Section 2. The management and direction of any house of correction already established or which may hereafter be established in any such city, shall be under the control and authority of a board of inspectors, to be appointed for that purpose as in this section directed. The mayor of said city shall, by virtue of his office, be a member of said board, who, together with three persons to be appointed by the mayor, by and with the advice and consent of the legislative authority of said city, shall constitute the said board of inspectors. The term of office for the appointed members of said board shall be three years, but the members first appointed shall hold their office, respectively, as shall be determined by lot at the first meeting of said board, for one, two and three years from and after the first Monday in May, in the year of our Lord 1871, and thereafter one member shall be appointed each year for the full term of three years.

**Rules—employees—appropriations.]** Section 3. That whenever a board of inspectors have been organized as in section second of this act directed, they shall have power and authority to establish and adopt rules for the regulation and discipline of the said house of correction, for which they have respectively been appointed, and, upon the nomination of the superintendent thereof, to appoint the subordinate officers, guards and employes thereof; to fix their compensation and prescribe their duties generally; to make all such by-laws and ordinances in relation to the management and government thereof as they shall deem expedient. No appropriation of money shall be made

by the said board of inspectors for any purpose other than the ordinary and necessary expenses and repairs of said institution, except with the sanction of the legislative authority of said city.

**Compensation and duties of inspectors—records.]** Section 4. Said inspectors shall serve without fee or compensation. There shall be a meeting of the entire board, at the house of correction, once in every three months, when they shall fully examine into its management in every department, hear and determine all complaints or questions not within the province of the superintendent to determine, and make such further rules and regulations for the good government of said house of correction as to them shall seem proper and necessary. One of said appointed inspectors shall visit the said house of correction once, at least, in each month. All rules, regulations or other orders of said board shall be recorded in a book to be kept for that purpose, which shall be deemed a public record, and, with the other books and records of said house of correction, shall be at all times subject to the examination of any member or committee of the legislative authority, the comptroller, treasurer, corporation counsel or attorney of any such city.

**Books—quarterly statements—accounts.]** Section 5. The books of said house of correction shall be so kept as to clearly exhibit the state of the prisoners, the number received and discharged, the number employed as servants or in cultivating or improving the premises, the number employed in each branch of industry carried on, and the receipts from, and expenditures for, and on account of, each department of business, or for improvement of the premises. A quarterly statement shall be made out, which shall specify minutely all receipts and expenditures, from whom received and to whom paid, and for what purpose; proper vouchers for each, to be audited and certified by the inspectors, and submitted to the comptroller of said city, and by him, to the legislative authority thereof, for examination and approval. The accounts of said house of correction shall be annually closed and balanced on the first day of January of each year, and a full report of the operations of the preceding year shall be made out and submitted to the legislative authority of said city, and to the governor of the State, to be by him transmitted to the General Assembly. [As amended by act approved May 31, 1879.]

**Further reports—removal of officers, etc.]** Section 6. The legislative authority of said city may require such further reports and exhibits of the condition and management of such institution as to them shall seem necessary and proper, and may, with the approval of the mayor, remove any inspector of said institution. But any subordinate officer or employe may be removed by the superintendent at his discretion, but immediately upon the removal of such officer or em-

ploye, he shall report to said board the name of the person removed, and the cause of such removal.

**Duties of superintendent—appointment—term of office—deputy.]**

Section 7. The superintendent of the said house of correction shall have entire control and management of all its concerns, subject to the authority established by law, and the rules and regulations adopted for its government. It shall be his duty to obey and carry out all written orders and instructions of the inspectors not inconsistent with the laws, rules and regulations relating to the government of said institution. He shall be appointed by the mayor by and with the consent of said board of inspectors, and shall hold his office for four years and until his successor shall have been duly appointed and qualified, but he may be removed by the inspectors at any time, when in their judgment it shall be advisable. He shall be responsible for the manner in which said house of correction is managed and conducted. He shall reside at said house of correction, devote all his time and attention to the business thereof, and visit and examine into the condition and management of every department thereof, and of each prisoner therein confined, daily. He shall exercise a general supervision and direction in regard to the discipline, police and business of said house of correction. The deputy superintendent of said house of correction shall have and exercise the powers of the superintendent in his absence, so far as relates to the discipline thereof, and the safe keeping of prisoners.

**County may use house of correction.]** Section 8. The board of supervisors or commissioners of any county, and the board of trustees of any village or town, in any county in this State, in which a house of correction is established, shall have full power and authority to enter into an agreement with the legislative authority of such city, or with any authorized agent or officer in behalf of such city, to receive and keep in said house of correction any person or persons who may be sentenced or committed thereto, by any court or magistrate, in any of said counties, whenever such agreement shall have been made, it shall be the duty of the board of supervisors or commissioners for any county in behalf of which such agreement shall have been made, or of the trustees of the village or town in behalf of which such agreement has been made, as the case may be, to give public notice thereof, in some newspaper printed and published within said county, for a period not less than four weeks, and such notice shall state the period of time for which such agreement will remain in force. [As amended by act approved May 31, 1879.]

**Commitment.]** Section 9. In counties, towns and villages having such agreement with any such city, it shall be the duty of every court, police justice, justice of the peace, or other magistrate in such county, town or village, by whom any person, for any crime or mis-

demeanor, punishable by imprisonment in the county jail, shall be convicted, to commit such person to the said house of correction, in lieu of committing him to the county jail, village or town calaboose, there to be received, and kept in the manner prescribed by law and the discipline of said house of correction. And it shall be the duty of such court, police justice, justice of the peace, or other magistrate, by a warrant of commitment, duly issued, to cause such person so sentenced to be forthwith conveyed by some proper officer to said house of correction. [As approved May 31, 1879.]

**Conveying convict to house of correction—fees.]** Section 10. It shall be the duty of the sheriff, constable or other officer in and for any county having such agreement with any such city to whom any warrant of commitment for that purpose may be directed by any court, justice or magistrate aforesaid, in such county, to convey such person so sentenced to the said house of correction, and there deliver such person to the keeper or other proper officer of said house of correction, whose duty it shall be to receive such person so sentenced, and to safely keep and employ such person for the term mentioned in the warrant of commitment, according to the laws of said house of correction; and the officers thus conveying and so delivering the person or persons so sentenced shall be allowed such fees, as compensation therefor, as shall be prescribed or allowed by the board of supervisors or commissioners of the said county.

**Application of other laws, etc.]** Section 11. All provisions of law and ordinances authorizing the commitment and confinement of persons in jails, bridewells and other city prisons, are hereby made applicable to all persons who may or shall be, under the provisions of this act, sentenced to such house of correction.

**House of shelter.]** Section 12. It shall be lawful for the inspectors of any such house of correction to establish in connection with the same a department thereof, to be called a house of shelter, for the more complete reformation and education of females. The inspectors shall adopt rules and regulations by which any female convict may be imprisoned in one or more separate apartments of the said house of correction, or of the department thereof called the house of shelter. The superintendent of said house of correction shall appoint, by and with the advice of the board of inspectors, a matron and other teachers and employes for the said house of shelter, whose compensation shall be fixed and provided for as in this act provided for the officers and other employes of the said house of correction.

**Expenses.]** Section 13. The expenses of maintaining any such house of correction over and above all receipts for the labor of persons confined therein, and such sums of money as may be received from time to time by virtue of an agreement with a county, as in this act contemplated, shall be audited and paid from time to time by the

legislative authority of such city, and shall be raised, levied and collected as the ordinary expenses of the said city.

**United States convicts.]** Section 14. It shall be lawful for the inspectors of any such house of correction to enter into an agreement with any officer of the United States authorized therefor, to receive and keep in such house of correction any person sentenced thereto, or ordered to be imprisoned therein, by any court of the United States or other federal officer, until discharged by law.

**Bridewell changed to house of correction.]** Section 15. That in any such city having prior to the passage of this act, established a bridewell for the confinement of convicted persons, such institution shall, immediately upon the appointment of the inspectors in this act contemplated, be known and denominated as the house of correction of the city in which it is located.

**Salary of superintendent—record of conduct—good time.]** Section 16. The superintendent of any such house of correction shall receive a salary per annum, to be fixed by the legislative authority of such city, to be paid quarterly. It shall be his duty to keep a record of each and all infractions of the rules and discipline of said house of correction, with the names of each, the convict offending, and the date and character of each offense, and every convict sentenced or committed for six months or more, whose name does not appear upon such record, shall be entitled to a deduction of three days per month from his or her sentence for each month he or she shall continue to obey all the rules of said house of correction.

**Oath—bond.]** Section 17. The inspectors of any such house of correction and the superintendent thereof, shall, before they enter on the duties of their respective offices, take and subscribe the usual oath of office. Said inspectors and superintendent shall severally give bond to such city with sureties, and in a penal sum such as may be required by the legislative authority thereof, for the faithful performance of their duties.

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## HOUSES OF CORRECTION OUTSIDE OF CORPORATE LIMITS.

AN ACT to authorize cities to establish houses of correction outside of the corporate limits and authorize the confinement of convicted persons therein.  
[Approved June 11, 1897.]

**May establish houses of correction outside of corporate limits—police powers over.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That it shall be lawful for the municipal authorities of any city within this State,

to purchase, own and control not to exceed forty acres of land within the incorporate limits of such city, or outside and within three miles of the corporate limits of any such city, for the purpose of establishing thereon a house of correction and other buildings or appurtenances thereto which shall be used for the confinement and punishment of criminals or persons sentenced or committed thereto under the provisions of this act, or any law of this State, or ordinance of any city or village authorizing the confinement of convicted persons in any such house of correction.

And when such land is purchased and house of correction established by any such city outside of the corporate limits thereof, such city and the municipal authorities thereof shall have full and complete police powers over such lands and territory surrounding the same as is now conferred by law upon incorporated cities, towns and villages within this State, over territory lying within the corporate limits thereof.

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## LIBRARIES.

**AN ACT** to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms. [Approved March 7, 1872.]

**City may establish—tax—fund, etc.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the city council of each incorporated city, whether organized under general law or special charter, shall have power to establish and maintain a public library and reading room for the use and benefit of the inhabitants of such city, and may levy a tax of not to exceed two mills on the dollar annually on all the taxable property in the city: Provided, that in cities of over one hundred thousand inhabitants, after the year 1896, such tax shall not exceed one mill on the dollar annually, such tax to be levied and collected in like manner with the general taxes of said city, and to be known as a library fund: Provided, That said annual library tax in cities of over two thousand inhabitants shall not be included in the aggregate amount of taxes as limited by section one of article eight of "An act for the incorporation of cities and villages," approved April 10, 1872, and the amendatory acts thereto, or by any provision of any special charter under which any city in this State is now organized. [As amended by act approved May 10, 1901.]

**Directors.]** Section 2. When any city council shall have decided to establish and maintain a public library and reading room, under this act the mayor of such city shall, with the approval of the city

council, proceed to appoint a board of nine directors for the same, chosen from the citizens at large with reference to their fitness for such office; and not more than one member of the city council shall be at any one time a member of said board.

**Term of office—removal.]** Section 3. Said directors shall hold office one-third for one year, one-third for two years, and one-third for three years, from the first of July following their appointment, and at their first regular meeting shall cast lots for the respective terms; and annually thereafter the mayor shall, before the first of July of each year, appoint as before three directors, to take the place of the retiring directors who shall hold office for three years, and until their successors are appointed. The mayor may by and with the consent of the city council, remove any director for misconduct or neglect of duty.

**Vacancies—compensation.]** Section 4. Vacancies in the board of directors, occasioned by removals, resignation, or otherwise, shall be reported to the city council, and be filled in like manner as original appointments, and no director shall receive compensation as such.

**Organization—powers of directors—funds.]** Section 5. Said directors shall, immediately after appointment, meet and organize by the election of one of their number president, and by the election of such other officers as they may deem necessary. They shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the library and reading-room as may be expedient, not inconsistent with this act. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the library fund, and of the construction of any library building, and of the supervision care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose: Provided, that all moneys received for such library shall be deposited in the treasury of said city to the credit of the library fund, and shall be kept separate and apart from other moneys of such city, and drawn upon by the proper officers of said city, upon the properly authenticated vouchers of the library board. Said board shall have power to purchase or lease grounds to occupy, lease or erect an appropriate building or buildings for the use of said library; shall have power to appoint a suitable librarian and necessary assistants, and fix their compensation, and shall also have power to remove such appointees; and shall, in general, carry out the spirit and intent of this act, in establishing and maintaining a public library and reading-room.

**Who may use library.]** Section 6. Every library and reading room, established under this act, shall be forever free to the use of the inhabitants of the city where located, always subject to such reasonable rules and regulations as the library board may adopt, in order to render the use of said library and reading-room of the greatest

benefit to the greatest number: and said board may exclude from the use of said library and reading-room any and all persons who shall wilfully violate such rules. And said board may extend the privileges and use of such library and reading-room to persons residing outside of such city in this State, upon such terms and conditions as said board may from time to time by its regulations prescribe. [As amended by act approved March 27, 1874.]

**Report of directors.]** Section 7. The said board of directors shall make, on or before the second Monday in June, an annual report to the city council, stating the condition of their trust on the first day of June of that year, the various sums of money received from the library fund and from other sources, and how such moneys have been expended, and for what purposes; the number of books and periodicals on hand, the number added by purchase, gift or otherwise, during the year; the number lost or missing; the number of visitors attending; the number of books loaned out, and the general character and kind of such books; with such other statistics, information and suggestions as they may deem of general interest. All such portions of said report as relate to the receipt and expenditure of money, as well [as] the number of books on hand, books lost or missing, and books purchased, shall be verified by affidavit.

**Penalties.]** Section 8. The city council of said city shall have power to pass ordinances imposing suitable penalties for the punishment of persons committing injury upon such library or the grounds or other property thereof, and for injury to or failure to return any book belonging to such library.

**Donations.]** Section 9. Any person, desiring to make donations of money, personal property or real estate for the benefit of such library, shall have the right to vest the title to the money or real estate so donated in the board of directors created under this act, to be held and controlled by such board, when accepted, according to the terms of the deed, gift, devise or bequest of such property; and as to such property the said board shall be held and considered to be special trustees.

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**Erection of buildings—plans—costs.]** Section 13. Whenever any board of directors of any public library organized under the provisions of the act of which this is an amendment, shall determine to erect a building to be used for their library, or to purchase a site for the same, or both, or to accumulate a fund for the erection of such building, or to pay for a library site, or both, they may do so as follows:

The directors shall cause a plan for such building to be prepared, and an estimate to be made of the cost, and, if site is to be provided for the same, they shall also cause an estimate to be made of the cost



of such site; they may then determine the time or years over which they will spread the collection of the cost of such building, or site, or both, not exceeding twenty (20) years, and shall make a record of their said proceedings, and transmit a copy thereof to the city council for its approval. If the city council shall approve the action of the board it may, in its own discretion, by ordinance provide that bonds of the city be issued for the payment of the cost (so estimated as aforesaid) of the said building or site, or both, in which event the said ordinance shall also state the time or times when such bonds, and the interest thereon, shall become payable: Provided, that the whole of the principal of such bonds, and the interest thereon shall be payable within twenty (20) years: Provided, further, that the interest on such bonds shall not exceed the rate of five (5) per cent per annum; but the said interest may be made payable at such times (annually or semi-annually) as the said ordinance shall prescribe: Provided, always, that in case the city council shall provide for such payment by the issuance of bonds, it shall make provision at or before the issuance thereof, by ordinance, which shall be irrepealable, for the levy and collection of a direct annual tax upon all the taxable property within such city, sufficient to meet the principal and interest of said bonds as the same mature, which tax shall be in addition to that otherwise authorized to be levied and collected for corporate purposes. If, however, the said council shall not provide that bonds of the city be issued as and for the purposes aforesaid, but shall otherwise approve the action of the said board, then the board shall divide the total cost of said building, or site, or both, into as many parts as they shall determine to spread the collection thereof, and shall certify the amount of one of said parts to the city council, each and every year during the time or terms over which they shall have determined to spread the collection of the cost of such building, or site or both. The city council, on receiving the said last mentioned certificate shall, in its next annual appropriation bill, include the amount so certified and shall, for the amount so certified, levy and collect a tax to pay the same, with the other general taxes of the city: Provided, the said levy shall not exceed five (5) mills on the dollar in any one year, and shall not be levied oftener than for the number of years into which the library board in those cases where bonds are not issued, as aforesaid, shall have divided the cost of said building, or site, or both; and when collected as last aforesaid the tax shall cease.

**Duty of board—erection of building—investment of funds.]** Section 14. The library board shall determine when they will proceed with the construction of the building; they may proceed at once or may determine to wait and allow the fund to accumulate, but shall not delay construction of said building longer than for the collection

of said fund. If they shall determine to wait, they shall certify their action to the city council and said city council shall invest said money in good interest paying securities, there to remain until the same is needed for the construction of the building under the provisions of this act. [Added by act approved June 19, 1891.]

**How contract to be let.]** Section 15. When the directors shall determine to commence the construction of the building they may then revise the plan therefor or adopt a new plan and provide estimates of the costs thereof, and shall advertise for bids for the construction of said building and shall let the contract to the lowest and best responsible bidder, and may require from such bidder securities for the performance of his bid as the board shall determine: Provided, the said directors may let the contract for one part of said building to one bidder, and for another part to another bidder as they shall determine: And provided, further, the board of directors shall not in any new plan increase the per cent of the tax levy hereunder, without the approval of the city council. [Added by act approved June 19, 1891.]

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#### CHICAGO PUBLIC LIBRARY.

**AN ACT** to authorize the Chicago public library to erect and maintain a public library on Dearborn park in the city of Chicago, and to authorize the Soldiers' Home in Chicago to sell and dispose of its interest in the north one quarter of the said park. [Approved June 2, 1891.]

Whereas, in the original subdivision of a tract of land in the west part of the south west fractional quarter of section ten, township thirty-nine north, range fourteen, east of the third principal meridian, as subdivided and platted under the authority of the secretary of war in the year 1839, a square or tract of land in said subdivision, a part of which is known as Dearborn park, was set aside for park purposes, and was so dedicated by the general government:

And, whereas, the circumstances under which said dedication was made, no longer exist, so that said park can not be used or utilized for the purposes for which said dedication was made, the growth and development of business having now rendered it worthless for such purposes; therefore,

**May erect public library on Dearborn park—memorial hall.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the Chicago public library be and it is hereby authorized to take possession of the piece of ground now known as Dearborn park, in that part of the city of Chicago, State of Illinois, known as the Fort Dearborn addition to Chicago, and bounded on the north by the south line of Randolph street, on the east by

the west line of Michigan avenue, on the south by the north line of Washington street, on the west by the east line of an alley known as Dearborn place, and to erect and maintain thereon a public library building under and in pursuance of the power and authority conferred upon said the Chicago public library by an act entitled "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872, and the various amendments thereto: Provided, that no building shall be erected upon the north one-quarter of said ground by the Chicago public library until it has obtained, by purchase or otherwise, whatever interest the Soldiers' Home in Chicago acquired in the same, under and by virtue of an act entitled "An act to authorize the Soldiers' Home in Chicago to erect and maintain a soldiers' memorial hall on the north one-quarter of Dearborn park, in the city of Chicago," approved June 4, 1889: And provided further, that in case the Chicago public library shall obtain, by purchase or otherwise, whatever interest the Soldiers' Home in Chicago may have in said north one-quarter of Dearborn park, then and in such case the Chicago public library, in erecting such library building, shall construct in such part of it as it may elect or determine a hall to be known and forever maintained as a memorial hall to commemorate the patriotism and sacrifices of the Union soldiers and sailors of the late civil war, which hall, when completed, may be leased by the Chicago public library at a nominal rental for the period of fifty years to the grand army hall and memorial association of Illinois, to be used by it and such other organizations of Union soldiers and sailors of the late civil war having their headquarters in Cook county, as it may direct, for the purposes of their organization.

**Soldiers' Home in Chicago may sell, etc.]** Section 2. The Soldiers' Home in Chicago is hereby authorized to sell, assign, transfer and convey to the Chicago public library, upon such terms and conditions as may be agreed upon, all the right, title and interest which said Soldier's Home in Chicago now holds in or to the north one-quarter of said Dearborn park; and when such assignment or conveyance is made the said Chicago public library shall become seized and possessed of all the rights and interest in and to said north one-quarter of Dearborn park that are now held by the Soldiers' Home in Chicago, or by the State of Illinois, and may take possession of and use the same for library purposes as provided in section 1 of this act.

## LIENS.

**AN ACT** to revise the law in relation to mechanics' liens. To whom, what for, and when lien is given; who is a contractor; area covered by and extent of lien; when the lien attaches. [Approved May 18, 1903.]

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**Lien against fund due or to become due—contractors for public improvements, notice—duty and liability of officer notified.]** Section 23. Any person who shall furnish material, apparatus, fixtures, machinery or labor to any contractor for a public improvement in this State, shall have a lien on the money, bonds or warrants due or to become due such contractor for such improvement: Provided, such person shall, before payment or delivery thereof is made to such contractor, notify the officials of the State, county, township, city or municipality whose duty it is to pay such contractor of his claim by a written notice. It shall be the duty of such official so notified, to withhold a sufficient amount to pay such claim until it is admitted, or by law established, and thereupon to pay the amount thereof to such person, and such payment shall be a credit on the contract price to be paid such contractor. Any officer violating the duty hereby imposed upon him, shall be liable on his official bond to the person serving such notice for the damages resulting from such violation, which may be recovered in an action at law in any court of competent jurisdiction. There shall be no preference between the persons serving such notice, but all shall be paid *pro rata* in proportion to the amount due under their respective contracts.

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LOCAL IMPROVEMENTS.

**AN ACT** concerning local improvements. [Approved June 14, 1897.]

**Powers conferred.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the corporate authorities of cities, villages and incorporated towns are hereby vested with the power to make such local improvements as are authorized by law, by special assessment, or by special taxation, of contiguous property, or by general taxation, or otherwise, as they shall by ordinance prescribe:

Provided, That this act shall apply only to such cities and villages as are now, or shall hereafter become, incorporated under an act entitled, "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, and to all cities, villages and incorporated towns which have heretofore adopted article nine of the act above mentioned, in the manner therein provided, or

shall hereafter adopt this act, as herein provided; but all other corporate authorities, having power to levy special assessments or special taxes for local improvements, may make use of the provisions of this act for that purpose in the manner hereinafter provided.

**Municipal officers in cities of fifty thousand inhabitants and over.]**

Section 2. In cities of this State having a population of fifty thousand or more, by the last preceding census of the United States, or of this State, there shall be appointed and designated, in the manner provided by law, or if no such method be provided, then by appointment of the mayor, a commissioner of public works, a superintendent of streets, a superintendent of special assessments, a superintendent of sewers and a city engineer. The compensation of such officers, if not fixed by law, shall be determined by the city council or board of trustees, and no order, resolution or ordinance to change the same shall be passed within one month after its introduction and publication. Such offices shall not be discontinued at any time, by ordinance or otherwise, but vacancies therein shall be filled in the same manner as the original appointment. The appointees to said offices shall be subject to removal by the mayor, but the term of office shall be held to expire as soon after the end of the term of the mayor appointing as their successors shall be appointed and qualified. [As amended by act approved May 9, 1901.]

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**Ordinance authorizing improvements. \* \* \*] Section 4.**

When any such city, town or village shall by ordinance provide for the making of any local improvement, it shall by the same ordinance prescribe whether the same shall be made by special assessment, or by special taxation of contiguous property, or general taxation or both.

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**Restriction on passage of ordinance.] Section 5.** No ordinance for any local improvements, to be paid wholly or in part by special assessment or special taxation, shall be considered or passed by the city council or board of trustees of any such city, village or town, unless the same shall first be recommended by the board of local improvements provided for by this act.

**Board of local improvements.] Section 6.** In cities within the terms of this act, having a population of one hundred thousand or more, by the last preceding census of the United States, or of this State, there is hereby created a board of local improvements, consisting of the superintendent of special assessments and four other members; such four members shall be nominated by the mayor and shall be confirmed by the city council or board of trustees of such city; and no one of which, except such superintendent of special assessments, shall be the head of any department of the government of such city, or hold any other office or position therein. Said board shall elect

from its members a president, a vice president and an assistant secretary. The superintendent of special assessments shall be ex officio secretary of the board. In the absence or the inability of the president and the secretary to act, the vice president for the president, and the assistant secretary for the secretary, are hereby given full power to sign and execute contracts, vouchers, bonds, pay-rolls and all other papers, documents, and instruments necessary to carry this act and all proceedings hereunder into full force and effect. Said board shall hold daily sessions for the transaction of all business in rooms accessible to the public to be provided by the city council.

The city council or board of trustees of such city shall provide for salaries for said board of local improvements.

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**Proceedings preliminary to public hearing.]** Section 7. All ordinances for local improvements to be paid for wholly or in part by special assessment or special taxation shall originate with the board of local improvements. Petitions for any such public improvement shall be addressed to said board. Said board shall have the power to originate a scheme for any local improvement, to be paid for by special assessment or special tax, either with or without a petition, and in either case shall adopt a resolution describing the proposed improvement, which resolution shall be at once transcribed into the records of the board.

Whenever the proposed improvement will require that private property be taken or damaged, such resolution shall describe the property proposed to be taken for that purpose. Said board shall, by the same resolution, fix a day and hour for the public consideration thereof, which shall not be less than ten days after the adoption of such resolution. Said board shall also cause an estimate of the cost of such improvement (omitting land to be acquired) to be made in writing by the engineer of the board (if there be one, if not, then by the president) over his signature, which shall be itemized to the satisfaction of said board, and which shall be made a part of the record of such resolution. Notice of the time and place of such public consideration or hearing shall be sent by mail directed to the person who paid the general taxes for the last preceding year on each lot, block, tract or parcel of land fronting on the proposed improvement, not less than five days prior to the time set for such public hearing. Said notice shall contain the substance of the resolution adopted by the board and the estimate of the cost of the proposed improvement, and a notification that the extent, nature, kind, character and estimated cost of such proposed improvement may be changed by said board at the public consideration thereof and that if upon such hearing the board shall deem such improvement desirable, it shall adopt a resolution therefor and prepare and submit an ordinance therefor as hereinafter provided.

Provided however, that in proceedings only for the laying, building, constructing or renewing of any sidewalk, water service pipe or house drain, no resolution, public hearing or preliminary proceedings leading up to the same shall be necessary. In such proceedings the board may submit to the city council or board of trustees, as the case may be, an ordinance, together with its recommendation, and the estimated cost of the improvement, as made by the engineer, as herein provided, and such proceedings shall have the same force and effect as though a public hearing had been had thereon. [As amended by act approved May 9, 1901.]

**Public hearing.]** Section 8. At the time and place fixed in said notice for the public hearing, the said board shall meet and hear the representations of any person desiring to be heard on the subject of the necessity for the proposed improvement, the nature thereof, or the cost as estimated. In case any person shall appear to object to the proposed improvement or any of the elements thereof, said board shall adopt a new resolution abandoning the said proposed scheme or adhering thereto, or changing, altering or modifying the extent, nature, kind, character and estimated cost, provided such change shall not increase the estimated cost of the improvement to exceed twenty per centum of the same without a further public hearing thereon, as it shall consider most desirable; and thereupon, if the said proposed improvement be not abandoned, the said board shall cause an ordinance to be prepared therefor, to be submitted to the council or board of trustees (as the case may be.) Such ordinance shall prescribe the nature, character, locality and description of such improvement and shall provide whether the same shall be made wholly or in part by special assessment or special taxation of contiguous property; and, if in part only, shall so state.

If property is to be taken or damaged for said improvement, such ordinance shall describe the same with reasonable certainty.

In cities of one hundred thousand inhabitants or over when a remonstrance petition is filed by the owners of a majority of the frontage on the line of the proposed improvement with the board of local improvements within thirty days after the public hearing thereon, said board shall thereupon stay all proceedings therein for one year from said date.

The remonstrance above referred to, to be filed with the board, shall contain the signatures of the owners or legal representatives, the description of the property owned or represented, the number of feet so owned or represented and shall be verified by affidavit of one or more property owners fronting on the line of the proposed improvement, setting forth that the party making the affidavit is a property owner, fronting on the proposed improvement, and that the parties who signed the same are the owners or legal representatives of the

property described therein. [As amended by act approved May 9, 1901.]

**Recommendation by board.]** Section 9. With any such ordinance, presented by such board to the city council or board of trustees, shall be presented also a recommendation of such improvement by the said board, signed by at least a majority of the members thereof. The recommendation by said board, shall be *prima facie* evidence that all the preliminary requirements of the law have been complied with, and if a variance be shown on the proceedings in the court, it shall not affect the validity of the proceeding, unless the court shall deem the same wilful or substantial.

**Estimate of cost.]** Section 10. Together with the said ordinance and recommendation shall be presented to the city council or board of trustees, an estimate of the cost of such improvement, as originally contemplated, or as changed, altered or modified at the public hearing, itemized so far as the board of local improvements shall think necessary, over the signature of the engineer of the board, if there be one; if not, then of the president of said board, who shall certify that, in his opinion, the said estimate does not exceed the probable cost of the improvement proposed, and the lawful expenses attending the same. The recommendation by said board shall be *prima facie* evidence presumed to be based upon a full compliance with the requirements of the act. [As amended by act approved May 9, 1901.]

**Publication of ordinance.]** Section 11. Upon the presentation to the common council or board of trustees of such proposed ordinance, together with such recommendation and estimate, if the said estimate of cost shall exceed the sum of one hundred thousand dollars (exclusive of the amount to be paid for land to be taken or damaged), such ordinance shall be referred to the proper committee, and published in the proceedings of the council or board of trustees, in the usual way, in full, with the recommendation and estimates, at least one week before any action shall be taken thereon by the council or board of trustees.

**When property is taken.]** Section 12. Should such an ordinance provide for improvements which require the taking or damaging of property, the proceedings for making just compensation therefor shall be as described in §§ thirteen to thirty-three, inclusive, in this act.

**Petition.]** Section 13. Whenever any such ordinance shall be passed by the legislative authority of any such city, village or town for the making of any local improvement, that such city, village or town is authorized to make, to be paid for wholly or in part by special assessment, or by special taxation, the making of which will require that private property be taken or damaged for public use, such city



or village shall, either in such ordinance or by subsequent order, designate some officer to file a petition in some court of record of the county in which such city, village or town is situated in the name of the municipality, praying that steps may be taken to ascertain the just compensation to be made for private property to be taken or damaged for the improvement or purpose specified in such ordinance, and to ascertain what property will be benefited by such improvement, and the amount of such benefit.

**Contents of petition—commissioners.]** Section 14. Such petition shall contain a reasonably accurate description of lots, blocks, tracts and parcels of land which shall be taken or damaged. There shall be filed with or attached to such petition a copy of said ordinance, certified by the clerk, under the corporate seal, but the failure to file such copy shall not affect the jurisdiction of the court to proceed in said cause, and to act upon said petition; but if it shall appear in any such cause that a copy of the ordinance has not been attached to or filed with said petition before the report of the commissioners shall be filed, as provided in section fifteen, then, upon motion of any person whose real estate is to be taken, or to be assessed, the entire petition and proceedings shall be dismissed. Upon the filing of the petition the court shall enter an order designating two competent persons as commissioners, to act with the superintendent of special assessments (where such officer is provided for by this act, and in other cases the president of said board of local improvements), who shall investigate and report to the court the just compensation to be made to the respective owners of private property which will be taken or damaged for the said improvement, and also what real estate will be benefited by such improvement, and the amount of such benefits to each parcel. Neither shall be employes of the petitioning municipality, and both shall be disinterested persons. They shall be allowed a fee for their services, which shall be fixed by the court in advance and taxed as costs and included in the amount to be assessed. The amount so allowed may be taxed as costs, and included in the amount to be assessed. The amount so allowed may be reviewed by the court on motion. Said three commissioners shall be duly sworn to make a true and just assessment of the cost of said improvement, according to law. The concurrence of any two in a report shall be sufficient.

**Commissioners' report.]** Section 15. Such commissioners shall thereupon make such investigation, and prepare and file in court their report accordingly, in and by which report they shall, in one column, describe the respective parcels of property to be taken or damaged for such improvement; in another column the respective owners of record of the said parcels of land, the name and residence of each such owner being set opposite his own property; in another column the name and residence of the occupant, where the property is occupied, so far

as known to such commissioners or can be found upon diligent inquiry; in another column the amount of the value of each piece or parcel to be taken for such improvement, setting the same opposite the property to which it relates; and in another column the amount of damages, if any, which in their opinion will result to any piece or parcel of land not taken, by reason of the said improvement, describing each piece or parcel so damaged by a reasonably accurate description; said commissioners shall further estimate and report what proportion of the total cost of such improvement (including therein their estimate of value and damages, and the estimate of cost) will be of benefit to the public, and what proportion thereof will be of benefit to the property, and shall apportion the same between the municipality and such property so that each shall bear its relative equitable proportion; and having found said amounts, shall further report what lots, blocks, tracts and parcels of land will be specially benefited by the said improvement, and shall describe the same by a reasonably accurate description, and shall apportion and assess the amount so found to be of benefit to the property upon the several lots, blocks, tracts and parcels of land in the proportion in which they will be severally benefited by said improvement: Provided, that no lot, block, tract or parcel of land shall be assessed a greater amount than it will be actually benefited.

**Net damage or benefit.]** Section 16. If the amount awarded to any person for property taken or damaged for such improvement be greater than the amount assessed against the property for such improvement, or if the benefit be greater than the damage, in either case the difference only shall be collectible of the owner or be paid to him. [As amended by act approved May 9, 1901.]

**Offset for land donated.]** Section 17. In the assessment of damages and benefits for the opening of any street or alley it shall be lawful for such commissioner [s], in making such assessment, where part of the land to be laid out into such street or alley has been theretofore donated by any person or persons for such street or alley, to appraise the value of the land so donated, and to apply the value thereof, so far as the amount so appraised shall go, as an offset to the benefits assessed against the person or persons making such donation, or parties claiming under them, but nothing herein contained shall authorize any person or persons by whom such donation is made to claim from the city, village or town, the amount of such appraisement, except as an offset, as herein provided; and where the assessment is only for the widening of any street which may have been theretofore donated, either in whole or in part, to the public by the proprietors of the adjoining land, it shall also be lawful for said commissioners, in their discretion, to make such allowance therefor in their assessment of benefits as shall seem to them equitable and just; but in either such

case they shall state in their report the amount of such allowance, and the same shall be subject to review, as the court shall direct.

**Commissioners' certificate.]** Section 18. Such commissioners shall return their said report to the court in which said petition was filed, and file the same with the clerk thereof, with their certificate, duly verified, stating in substance that they have carefully examined the questions referred to in their report, and that in their opinion the amounts awarded for damages and value therein, and the assessment district therein shown, and the respective amounts assessed against the private property, and also the apportionment of the cost of said improvement between the public and the private property assessed, and the allowance for property theretofore dedicated, if any, are correct, equitable and just. The return and filing of such report shall be deemed an application by the petitioner for judgment of condemnation of the property so to be taken or damaged, and for a confirmation of the said assessment of benefit.

**Affidavit of ownership.]** Section 19. The superintendent of special assessments, or president of the board of local improvements (as the case may be), shall file with said report an affidavit made by himself, or by some employe of his office, that the affiant has carefully examined the records in the recorder's office of the said county for the names of the owners of record of the several lots, blocks, tracts and parcels of land to be taken or damaged for said improvement, and also for the names of the owners of record of the respective lots, blocks, tracts and parcels of land against which benefits are assessed in said report, and that the names of such owners are correctly shown in the column or schedule of ownership in said report; also, that he has diligently inquired as to the residence of the respective owners of property to be taken or damaged for said improvement, and of all of the respective lots, blocks, tracts and parcels of land against which benefits have been assessed in said report (specifying the nature of the inquiry and examination he has made for that purpose), and that the residences of the owners are correctly stated, according to the result of his said examination, in the column or schedule of residences in said report; also, that in all cases where he has been unable to find the residence of the owner of such record title, he has examined the return of the collector's warrant for taxes on real estate for the preceding year, and has set opposite each such parcel, whose owner has not been found, the name of the person who paid the tax on said parcel for the preceding year, together with his place of residence, wherever, on diligent inquiry, he was able to find the same. Said affidavit, or an affidavit filed therewith, shall further state that the affiant has visited each of the parcels of land to be taken or damaged for said improvement described in said report, for the purpose of ascertaining whether or not the same was occupied, and the name and residence of

the occupant, if any, and that in every case where said parcels of land were found to be occupied, upon such investigation, the name of the occupant is stated in said report opposite such parcel, together with his residence, when ascertained. Such affidavit and report shall be *prima facie* evidence that the requirements of this act have been complied with. [As amended by act approved May 14, 1903.]

**Jurisdiction of defendants.]** Section 20. Every person who shall be named in said report as an owner of property to be taken or damaged for the said improvement, and every person who shall be therein named as an occupant of any parcel thereof, shall be made a party defendant in said proceeding. All other persons having or claiming interests in any of said premises shall be described and designated as "all whom it may concern," and by that description shall be made defendants. Upon the filing of the report aforesaid, a summons which may be made returnable upon any day in term time, not less than fifteen days after its date, shall be issued and served upon the persons made party defendants, as in cases in chancery. But if service of such summons shall be had less than ten days before said return day, no steps shall be taken in said matter against the defendant so served, or his property, before the first day of the next term of said court which shall occur ten days or more after such service. And as to such of said defendants as are shown by said affidavit to be non-residents of the State of Illinois, or whose residences are shown thereby to be unknown, and the defendants designated as "all whom it may concern," the clerk of the court shall cause publication to be made in some newspaper designated by the court for that purpose by an order to be entered of record in the cause, containing notice of the pendency of such proceeding, the parties thereto, the title of the court, the time and the place of the return of the summons in the case, the description of the property to be taken or damaged, the total cost of the improvement as shown by the estimate and report, and the nature of the proceeding; such notice shall further state that a special assessment has been made to raise the cost of said improvement, and the time and place of filing the report thereof; such publication to be made four weeks, consecutively, at least once in each week, the first of which shall be at least thirty days before the return day of such summons. A similar notice shall be posted for ten days before such return day in two public places in the vicinity of said improvement.

**Mailing notice to owners.]** Section 21. Where the residence of any defendant named in said report is shown thereby to be outside of the State of Illinois, and such residence is stated therein, a copy of the said notice shall be sent by mail to such party, at the address so given, at least fifteen days prior to the return day of the said summons. If the residence of any defendant shall be found to be unknown, as shown by the said report and affidavit, a similar notice shall be sent

to the person last paying taxes upon such premises, if his residence be stated in such report. Such service, publication and notices shall be sufficient to give the court jurisdiction of all the parties whose lands are to be taken or damaged, so as to determine all questions relating to said proceeding, and affecting the lands described in the report.

**Mailing notices to parties assessed.]** Section 22. There shall be sent by mail, post paid, to each person whose property has been assessed for benefits in said proceeding (not being owners of property taken or damaged therefor), directed to the address as shown in said report, or where not so shown, then generally to the city, village or town in which said improvement is to be made, at least fifteen days before the said return day, a notice stating the nature of said improvement, the description of such owner's property assessed therefor, the amount of such assessment, and the date when the summons in said cause will be returnable, and when objections thereto may be filed. An affidavit of one of the commissioners, or some other person, showing such service, mailing, posting and publication, shall be *prima facie* evidence of a compliance with all the requirements thereof; but the publication may be proved in any other manner provided by law.

**Trials.]** Section 23. Upon the return of said summons, or as soon thereafter as the business of the court will permit, the court shall proceed to a hearing of the said cause, and shall impanel a jury to ascertain the just compensation to be paid to all such owners of property to be taken or damaged; and if objections shall be filed to the confirmation of the assessment of benefits, such objections shall be submitted to the same jury at the same time; and thereupon such jury shall ascertain the just compensation to be paid to the owner of each lot, block, tract or parcel of land to be taken or damaged in said proceeding, and shall also determine whether or not any lot, piece or parcel of land assessed in said proceeding, for which objections have been filed, has been assessed more than it will be benefited by said improvement, and on such hearing the report of the officer, so returned and filed as aforesaid, shall be *prima facie* evidence, both of the amount of the compensation to be awarded, and of the benefits to be assessed.

**Separate trials.]** Section 24. If, however, any defendant or party interested shall demand, and if the court shall deem it proper, separate juries may be impaneled, either as to the benefits assessed, or as to the compensation or damages to be paid to any one or more of such defendants or parties in interest.

**View by the jury.]** Section 25. The court may, upon the motion of the petitioner, or of any person claiming any such compensation, direct that the jury (under the charge of an officer) shall view

the premises which it is claimed by any party to said proceeding will be taken or damaged by said improvement, and in any case, where there is no satisfactory evidence given to the jury as to the ownership of, or as to the extent of the interest of any defendant in the property to be taken or damaged, the jury may return their verdict as to the compensation or damage to be paid for the property or part of property to be taken or damaged, and for the entire interests therein.

**Adjournments.]** Section 26. Upon the return of such verdict, the court shall order the same to be recorded, and shall enter such judgment or decree thereon as the nature of the case may require. The court shall continue or adjourn the cause from time to time, as to all occupants and owners named in such petition who shall not have been served with process, or brought in by notice or by publication, and shall order a new summons to issue and publication to be made, and upon such occupants or owners being brought into court, shall impanel a jury to ascertain the compensation so to be paid to such defendant or defendants for private property taken or damaged, and the amount of benefits to be assessed against them, if any; and like proceedings shall be had for such purpose as hereinbefore provided in the case of other owners; but no final judgment shall be entered as to any of the property embraced in said roll until all the issues in the case have been disposed of, including revised or recast rolls, if any.

**Where title has changed.]** Section 27. The court shall have power, at any time, upon proof that any such owner named in such petition, who has not been served with process, has ceased to be such owner since the filing of such petition, to impanel a jury and ascertain the just compensation to be made for the property (or damage thereto) which has been owned by the person so ceasing to own the same, and benefits thereto; and the court may, upon any finding or findings of the jury, or at any time during the course of such proceedings, enter such order, rule, judgment or decree as the nature of the case may require.

**Adverse claimants.]** Section 28. No delay in making an assessment of compensation shall be occasioned by any doubt or contest which may arise as to the ownership of the property or any part thereof, or as to the interests of the representative owners or claimants, but in such case the court may require the jury to ascertain the entire compensation or damage that should be paid for the property, or part of the property, and the entire interests of all parties therein, and may require adverse claimants to interplead, so as to fully determine their rights and interests in the compensation so ascertained. And the court may make such order as may be necessary in regard to the deposit or payment of such compensation.

**Infant or insane owners.]** Section 29. When it shall appear

from said petition or otherwise, at any time during the proceedings upon such petition, that any infant or insane or distracted person is interested in any property that is to be taken or damaged, the court shall appoint a guardian *ad litem* for such infant or insane or distracted person, to defend the interest of such infant or insane or distracted person, in such property, or the compensation which shall be awarded therefor.

**Effect of judgment.]** Section 30. Any final judgment or judgments, rendered by said court upon any finding or findings of any jury or juries, shall be a lawful and sufficient condemnation of the land or property to be taken, upon the payment of the net amount of such finding, as hereinafter provided. It shall be final and conclusive as to the damages and benefits caused by such improvement, unless such judgment or judgments shall be appealed from; but no appeal or writ of error upon the same shall delay proceedings under said ordinance, if the petitioner shall deposit, as directed by the court, the amount of judgment and costs, after deducting the benefits assessed and adjudged against such property, if any, and shall file a bond in court in which such judgment was rendered, in a sum to be fixed, and with security to be approved by the judge of said court, which shall secure the payment of any future compensation which may at any time be finally awarded for the property in question, and costs.

**Order for possession.]** Section 31. The court, upon proof that the amount of said just compensation, so found by the jury (in excess of the benefits so assessed and adjudged against the same property), has been paid to the person entitled thereto, or has been deposited as directed by the court (and bond given, in case of an appeal or writ of error), shall enter an order that the petitioner shall have the right, at any time thereafter, to take possession of or damage the property, in respect to which compensation shall have been so paid or deposited as aforesaid. Such order shall not be appealable as a separate order, if the same be entered in time to be made a part of the record on appeal or writ of error from the judgment, or before the cause is taken under advisement upon hearing by the Supreme Court, but may be reviewed upon appeal or writ of error from the judgment.

**Proceedings pending appeal.]** Section 32. Upon the return of a verdict in a proceeding to acquire property for a public improvement, if no motion for a new trial be made, or if made, then if overruled, the petitioner shall within ninety days after final judgment as to all defendants, both as to the amount of damages and compensation to be awarded and benefits to be assessed, elect whether it will dismiss said proceedings or enter judgment in [on] said verdict. If it shall elect to enter said judgment, it shall become thereby bound

and liable to pay the amount thereof, whether such assessment be collected or not, and such judgment or condemnation shall not be conditional. Petitioner shall not thereafter be permitted to withdraw from such proceeding, or to dismiss the same, without the consent of all parties whose land is thereby condemned, except as hereinafter provided. In case an appeal or writ of error be taken by either party from the judgment of condemnation or confirmation, then unless the petitioner shall file in the cause its written election to proceed with the improvement, notwithstanding the appeal, no steps shall be taken to collect the assessment, nor to compel payment of the compensation awarded, until said appeal or writ of error be disposed of and final judgment entered in the cause; or in case of reversal, until a new trial and judgment; but in case of final reversal petitioner may still elect to abandon the proceedings: Provided, the same be done within sixty days thereafter.

**Filing roll—commissioners—deficiency—revised assessment roll—notice.]** Section 33. If, in any case, upon the filing of the roll by the commissioners, it shall appear that the amount assessed as benefits is not sufficient to pay the awards, with the costs: or if, upon the disposition of the whole case, any such deficiency shall appear, the court may, on the application of the petitioner, cause the roll to be again referred to the same or other commissioners, to be recast; and in such cases said commissioners shall consider and report whether or not other premises will be benefited by said improvement, or whether or not the premises already assessed will be benefited thereby in any greater amount, and in what amount, if any; and shall make and return a revised assessment roll, and the same may be done from time to time, as often as any deficiency shall appear. But no lot, block, tract or parcel of land shall be assessed more than it will be benefited by said improvement, nor more than its proportionate share of the costs of the improvement. If any premises not already described in said roll shall be assessed by the commissioners, the owners thereof shall be shown, and notice given as for an original assessment; and if the assessment on any premises previously assessed shall be increased thereby, or if any property shall be newly assessed, the owner thereof, if not already represented in court, shall be notified in like manner, and a hearing shall be had as above provided.

**Improvements requested by majority of frontage—sidewalks.]** Section 34. Whenever the owners of one-half of the property abutting on any street, alley, park or public place, or portion thereof, shall petition for any local improvement thereon, the board of local improvements in any city, village or town shall take the steps hereinbefore required for a hearing thereon, but at such hearing shall consider only the nature of the proposed improvement and the cost thereof, and shall determine, in the manner above provided, the nature of the im-



provement which it will recommend, and shall thereupon prepare and transmit to the legislative body a draft of an ordinance therefor together with an estimate of the cost, as above described, and shall recommend the passage thereof, which recommendation shall be *prima facie* evidence that all the preliminary steps required by law have been taken; and thereupon it shall be the duty of such legislative body to pass an ordinance for the said improvement, and take the necessary steps to have the same carried into effect. Whenever any ordinance shall provide only for the building or renewing of any sidewalk, the owner of any lot or piece of land fronting on such sidewalk shall be allowed forty days after the time at which said ordinance shall take effect in which to build or renew such sidewalk opposite to his land, and thereby relieve the same from assessment: Provided, the work so to be done shall in all respects conform to the requirements of such ordinance.

Notice of the passage of such ordinance shall be sent by mail within ten days after such passage to the person who paid the taxes on said premises for the preceding year, if he or they can be found in said county, and also a like notice addressed to the "occupant" of said property, if the same be at such time actually occupied, and an affidavit of such service shall be filed with the official report of such assessment. Such affidavit shall be *prima facie* evidence of a compliance with said requirements. [As amended by act approved May 9, 1901.]

**Special tax.]** Section 35. When the ordinance under which a local improvement shall be ordered shall provide that such improvements shall be made wholly or in part by special taxation of contiguous property, such special tax shall be levied, assessed and collected, as nearly as may be, in the manner provided in the section of this act providing for the mode of making, assessing and collecting special assessments: Provided, that no special tax shall be levied or assessed upon any property to pay for any local improvement in an amount in excess of the special benefit which such property shall receive from such improvement. Such ordinance shall not be deemed conclusive of such benefit, but the question of such benefit and of the amount of such special tax shall be subject to the review and determination of the court, and be tried in the same manner as in proceedings by special assessment.

**Special assessment.]** Section 36. When the ordinance under which a local improvement is ordered to be made, containing no provisions for the condemnation of private property therefor, shall provide that such improvement shall be wholly or in part paid for by special assessment, the proceedings for the making of such assessment shall be in accordance with the following provisions of this act.

**Jurisdiction of courts.]** Section 37. Upon the passage of any

ordinance for a local improvement pursuant thereto, it shall be the duty of the officer specified therein, to file a petition in some court of record in said county, in the name of such municipality, praying that steps [may] be taken to levy a special assessment for the said improvement, in accordance with the provisions of the said ordinance. The several circuit and county courts of this State, and the superior court of Cook county, shall have jurisdiction of any proceeding under this act. There shall be attached to or filed with such petition a copy of the said ordinance, certified by the clerk, under corporate seal; also a copy of the recommendation of the board of local improvements, and of the estimate of the cost, as approved by the legislative body. The failure to file any, or either of said copies shall not affect the jurisdiction of the court to proceed in said cause, and to act upon said petition; but if it shall appear in any such cause that such copies have not been attached to or filed with said petition before the filing of the assessment roll therein, then, upon motion of any objector for that purpose, on or before appearance day in said cause, the entire petition and proceeding shall be dismissed.

**Order for assessment.]** Section 38. Upon the filing of such petition, the superintendent of special assessments, in cities where such officer is provided for by law, otherwise some competent person appointed by the president of the board of local improvements, shall make a true and impartial assessment of the cost of the said improvement upon the petitioning municipality and the property benefited by such improvement. [As amended by act approved May 14, 1903.]

**Apportionment of cost.]** Section 39. It shall be the duty of such officer to estimate what proportion of the total cost of such improvement will be of benefit to the public, and what proportion thereof will be of benefit to the property to be benefited, and to apportion the same between the city, village or town and such property, so that each shall bear its relative equitable proportion; and having found such amounts, to apportion and assess the amount so found to be of benefit to the property, upon the several lots, blocks, tracts and parcels of land, in the proportion in which they will be severally benefited by such improvement: Provided, that no lot, block, tract or parcel of land shall be assessed a greater amount than it will be actually benefited; and when the proposed improvement is for the construction of a sewer, to investigate and report the district which will be benefited by such proposed sewer, describing the same by boundaries. [As amended by act approved May 9, 1901.]

**Description of property assessed.]** Section 40. In levying any special assessment or special tax, each lot, block, tract or parcel of land shall be assessed separately, in the same manner as upon assessment for general taxation: Provided, that this requirement shall not apply to the property of railroad companies, or the right of way and

franchise of street railway companies, but the same may be described in any manner sufficient to reasonably identify the property intended to be assessed.

**Assessment roll—notice.]** Section 41. The assessment roll shall contain a list of all the lots, blocks, tracts and parcels of land assessed for the proposed improvement, the amount assessed against each, the name of the person who paid the taxes on each such parcel during the last preceding calendar year in which taxes were paid, as ascertained upon investigation by the officer making the return, or under his direction, the residence of the person so paying the taxes on each such parcel if the same can on diligent inquiry be found; in case of assessment in installments, the amount of each installment shall also be stated; and the officer making such roll shall certify under oath that he verily believes that the amounts assessed against the public and each parcel of property are just and equitable, and do not exceed the benefit which will in each case be derived from said improvement, and that no lot, block, tract or parcel of land has been assessed more than its proportionate share of the cost of said improvement.

Several lots or parts of land, owned and improved as one parcel, may be assessed as one parcel.

Unsubdivided tracts of land may, for the purpose of spreading assessments for house drains and water service pipes, be divided into lots of a frontage of twenty-five feet each; and any fraction of frontage then remaining may be assessed as a fractional lot.

Notice shall be given of the nature of the improvement, of the pendency of said proceeding, of the time and place of filing the petition therefor, of the time and place of filing the assessment roll therein, and of the time and place at which application will be made for confirmation of the assessment, the same to be not less than fifteen days after the mailing of such notices. Such notices shall be sent by mail postpaid to each of the said persons paying the taxes on the respective parcels during the last preceding year in which taxes were paid, at his residence as shown in the assessment roll, or, if not shown, then to such person so paying the taxes, directed generally to the city, village or town in which said improvement is proposed to be made.

Such notice shall state the amount assessed to the person to whom the same is directed for the improvement proposed, the total amount of the cost of said improvement, and the total amount assessed as benefits upon the public. An affidavit shall be filed before the final hearing showing a compliance with the requirements of this section, and also showing that the affiant (either the officer making the said return, or some one acting under his direction) made a careful examination of the collector's books showing the payments of general taxes during the last preceding year in which the taxes were paid thereon,

to ascertain the person or persons who last paid the taxes on said respective parcels, and a diligent search for their residences, and that the report correctly states the same as ascertained by the affiant; and said report and affidavit shall be conclusive evidence, for the purpose of said proceeding, of the correctness of the assessment roll in said particulars; but in case the said affidavit shall be found in any respect willfully false, the person making the same shall be deemed guilty of perjury, and subject to the pains and penalties provided for such offense by the laws of this State. [As amended by act approved May 9, 1901.]

**Division of assessment into installments—payment of—interest.]**

Section 42. It shall be lawful to provide by the ordinance for any local improvement, any portion of the cost of which is to be defrayed by special assessment or special taxation, or by ordinance passed at any time before the confirmation of the assessment roll, that the aggregate amount assessed, and each individual assessment, and also the assessment against the municipality on account of property owned by the municipality and for public benefits, be divided into installments, not more than ten in number: Provided, however, that any such special assessment or special tax levy for building sewers, subways or viaducts may, in like manner, be divided into not exceeding twenty installments. In all cases such division shall be made so that all installments shall be equal in amount, except that all fractional amounts shall be added to the first installment, so as to leave the remaining installments of the aggregate equal in amount and each a multiple of one hundred dollars. The first installment shall be due and payable on the second day of January next after the date of the first voucher issued on account of work done, and the second installment one year thereafter, and so on annually until all installments are paid; and it is hereby made the duty of the board of local improvements to file in the office of the clerk of the court in which such assessment was confirmed, a certificate signed by its secretary, of the date of said first voucher and of the amount thereof, within thirty days after the issuance thereof. All installments shall bear interest as hereinafter provided until paid, at the rate of five per centum per annum. Interest on assessments shall begin to run from the date of the first voucher issued on account of work done as aforesaid. The interest on each installment shall be payable as follows: On the second day of January next succeeding the date of the first voucher aforesaid, so certified as aforesaid, the interest accrued up to that time on all unpaid installments shall be due and payable and be collected with the installment, and thereafter the interest on all unpaid installments, then payable, shall be payable annually, and be due and payable at the same time as the installments maturing in such year, and be collected therewith. In all cases it shall be the duty of the

municipal collectors, as the case may be, whenever payment is made of any installment, to collect interest thereon up to the date of such payment, whether such payment be made at or after maturity. Any person may at any time pay the whole assessment against any lot, piece or parcel of land, or any installment thereof, with interest as provided herein up to the date of payment. Whenever any city, town or village has heretofore levied for any public improvement a special tax or a special assessment, payable in not to exceed ten installments, of which all except the first draw interest at any rate specified in the ordinance under the authority of which such improvement is made, not exceeding five per cent per annum, and judgment has been duly entered in such proceeding confirming such tax or such assessment, payable as aforesaid, the judgment in such proceeding shall not be invalid because said assessment is so divided, or because the rate of interest therein is fixed at five or at four per cent, as the case may be, but all such judgments, unless void for other reasons, shall be valid and enforceable. And when improvement bonds shall have been issued for the purpose of anticipating the collection of the deferred installments of any such special tax or assessment, such bonds shall not, if otherwise valid, be void either because of the number of series into which they are divided, or the rate of interest they bear; but if such bonds are in other respects in compliance with the statutes of the State of Illinois in such case made and provided, they shall be valid and enforceable to the extent that the tax or assessment against which they are levied is enforceable, or any relevy thereof. The provisions of this section as to the division of installments and rate of interest shall apply to all cases pending in court and unconfirmed on July 1, 1903. [As amended by act approved May 14, 1903.]

**Retirement of bonds annually.]** Section 43. On or before January tenth of each year the treasurer of the municipality issuing such bonds, or some other officer designated by ordinance for that purpose, shall ascertain the amount of such assessment collected and applicable to the payment of bonds of each series unmaturred, and shall select by lot bonds of series, to such amount, to be paid therewith, and shall give notice in some newspaper published in such municipality (or if none be so published, then in the nearest newspaper), of the number of bonds to be so paid, the series thereof, the assessment to which they relate, and the particular bonds so selected to be paid, and that the same will be paid, at a place to be specified, on the tenth day of February next following. And, thereupon, from and after said tenth day of February, said bonds shall be payable, at the place so appointed, on demand, and no further interest shall accrue thereon.

**Notice by posting and publication.]** Section 44. Petitioner shall, in addition to other notices hereinbefore provided for, cause at

least fifteen days' notice to be given prior to the time at which confirmation of said assessment shall be sought, by posting notices in at least four public places in such city or village, all of which shall be in the neighborhood of such proposed improvement, and by publishing the same at least five successive days in some daily newspaper of said city, village or town, or, if no daily newspaper is published in such city, village or town, and a weekly paper is published therein, then at least once in each week for two successive weeks in some weekly newspaper, or if no daily or weekly newspaper is published in such city, village, or town, then at least once in each week for two successive weeks in some other newspaper published in the county in which said city, village or town is situated. Where other corporate authorities having power to make use of the provisions of this act shall do so, the notice may be published in any daily or weekly newspaper in the county in which such proceeding shall be had. The notice shall be over the name of the officer levying such assessment, and be substantially as follows:

**SPECIAL ASSESSMENT NOTICE.**

Notice is hereby given to all persons interested that the city council (or board of trustees, or other corporate authorities, as the case may be) of..... having ordered that (here insert a brief description of the nature of the improvement), the ordinance for the same being on file in the office of the..... clerk, having applied to the.....court of.....county for an assessment of the costs of said improvement, according to benefits, and an assessment therefor having been made and returned to said court, the final hearing thereon will be had on the.....day of.....A. D. 190...or as soon thereafter as the business of the court will permit. All persons desiring may file objections in said court before said day, and may appear on the hearing and make their defense.  
(Here give date.)  
.....

Where the assessment is payable in installments, the number of installments and the rate of interest shall also be stated. [As amended by act approved May 9, 1901.]

**Continuance for notice.]** Section 45. If fifteen days shall not have elapsed between the first publication, or the putting up of such notice, and the day fixed in said notice for filing objections, said cause shall be continued until the next term of the court, at or prior to which time objections may be filed with the same effect as if within said fifteen days.

**Objections.]** Section 46. Any person interested in any real estate to be affected by such assessment, may appear and file objections to such report, by the time mentioned in said notice, or in case of incomplete notice then as specified in the last preceding section, or within such further time as the court may allow, and the court may make such order in regard to the time of filing such objections as may be made in cases at law in regard to filing pleas; but no prior rule need be taken therefor unless directed by the court. As to all

lots, blocks, tracts and parcels of land, to the assessment of which objections are not filed within the time aforesaid, or such other time as may be ordered by the court, default may be entered, and the assessment confirmed by the court, notwithstanding objections may be pending and undisposed of as to other property.

**Review of assessment roll by the court.]** Section 47. Upon objection or motion for that purpose, the court in which said proceeding is pending may, in a summary way, inquire whether the officer making the report has omitted any property benefited; also whether or not the assessment as made and returned, is an equitable and just distribution of the cost of said improvement, first, between the public and the property; and second, among the parcels of property assessed. The court shall have the power, on such application being made, to revise and correct the assessment levied, to change or modify the distribution of the total cost between the public and property benefited, and also to change the manner of distribution among the parcels of private property, so as to produce a just and equitable assessment, considering the nature of the property assessed, and its capacity for immediate use of the improvement when completed. The court may either make such corrections or changes, or determine in general the manner in which the same shall be made, and refer the assessment roll to the person filing the same for revision and correction. The determination of the court as to the correctness of the distribution of the cost of the improvement between the public and the property to be assessed, shall be conclusive, and not subject to review on appeal or writ of error.

**Hearing of legal objections.]** Section 48. On the application of the petitioner, at any time after the return day, the court may set down all objections except the objection that the property of the objector will not be benefited to the amount assessed against it, and that said property is assessed more than its proportionate share of the cost of such improvement, for a hearing at a time to be fixed by the court, and upon such hearing the court shall determine all questions relating to the sufficiency of the proceedings, the distribution of the cost of the improvement between the public and the property, and of the benefits between the different parcels of property assessed, together with all other questions arising in such proceeding, with the exception aforesaid, and shall thereupon enter an order in accordance with the conclusions it shall reach; but such order shall not be deemed a final disposition of any such questions for the purpose of appeal, unless objectors shall waive further controversy as to the remaining question upon the record.

**Trial by jury.]** Section 49. If it be objected on the part of any property assessed for such improvement, that it will not be benefited thereby to the amount assessed thereon, and that it is assessed

more than its proportionate share of the cost of such improvement, and a jury be not waived by agreement of parties, the court shall impanel a jury to try the said issue, and in such case, unless otherwise ordered by the court, all such objections shall be tried and disposed of before a single jury. The assessment roll, as returned by the officer making the same, or as revised and corrected by the court on the hearing of the legal objections, shall be *prima facie* evidence of the correctness of the amount assessed against each objecting owner, but shall not be counted as the testimony of any witness or witnesses in the cause. Either party may introduce such other evidence as may bear upon the said issue or issues. The hearing shall be conducted as in other cases at law, and if it shall appear that the premises of any objector are assessed more than they will be benefited by the said improvement or more than its proportionate share of the cost of such improvement, the jury shall so find, and shall also find the amount for which such premises ought to be assessed, and judgment shall be rendered accordingly.

**Distribution of deficiency.]** Section 50. Wherever, on a hearing by the court, or before a jury, the amount of any assessment shall be rendered [reduced] or canceled, so that there shall be a deficiency in the total amount remaining assessed in the proceeding, the court shall have the power, in the same proceeding, to distribute such deficiency upon the other property in the district assessed, in such manner as the court shall find to be just and equitable, not exceeding, however, the amount it will be benefited by said improvement. In case any portion of such deficiency be charged against such property not represented in court, a new notice, of the same nature as the original notice, shall be given in like manner as the original notice, to show the cause why the said assessment, as thus increased, should not be confirmed, and the owners of or parties interested in such property shall have the right to object in the same form and with the same effect as in case of the original assessment, and the court shall have the same power to dispose thereof.

**Precedence for trial.]** Section 51. The hearing in all the cases arising under this act, if in the county court, may be had at either a law or a probate term of said court; and such proceeding shall have precedence over all other cases in any court where the same shall be brought, except criminal cases, or other cases in which the public is a moving party.

**Modification by court.]** Section 52. The court before which any such proceedings may be pending shall have authority to modify, alter, change, annul or confirm any assessment returned as aforesaid, in addition to the authority already conferred upon it, and may take all such proceedings, and make all such orders, as may be necessary to make a true and just assessment of the cost of such improvement,



according to the principles of this act, and may from time to time, as may be necessary, continue the application for that purpose, as to the whole or any part of the premises.

**Land to be first acquired.]** Section 53. No special assessment or special tax shall be levied for any local improvement until the land necessary therefor shall be acquired and in possession of the municipality, except in cases where proceedings to acquire such land shall have been begun, and proceeded to judgment.

**Prior improvement of same kind no objection.]** Section 54. It shall be no objection to the legality of any local improvement that a similar one shall have been previously made in the same locality, if the ordinance therefor be recommended by the board of local improvements as above provided; but nothing herein contained shall be construed to interfere with any defense in said proceeding relating to the benefits received therefrom.

**Judgment on installment assessments.]** Section 55. In case of a special assessment or a special tax levied to be paid by installments, under the provisions of this act, the order of confirmation that shall be entered upon the return of the assessment roll shall apply to all of the installments thereof, and may be entered in one order.

**Effect of judgment.]** Section 56. The judgments of the court shall be final as to all the issues involved, and the proceedings in said cause shall be subject to review by appeal or writ of error as hereinafter provided, and not otherwise: Provided, however, that by mutual consent the same may be vacated or modified at a subsequent term, except as hereinafter provided.

Such judgments shall have the effect of several judgments as to each tract or parcel of land assessed, and no appeal from any such judgment or writ of error shall invalidate or delay the judgments, except as to the property concerning which the appeal or writ of error is taken. Such judgments shall be a lien upon the property assessed from the date thereof, to the same extent and of equal force and validity as a lien for the general taxes, for a period of five years, if such assessment is payable in a single sum; if payable by installments, then until five years after the last installment comes due. Nothing in this section contained shall interfere with the right of the petitioner to dismiss its proceedings, and for that purpose to vacate such judgment at its election at any time before commencing the actual collection of such assessment, and no judgment entered in such proceeding so dismissed and vacated shall be a bar to another like or different improvement: Provided, that after the contract for the work shall have been entered into, or the bonds mentioned in this act issued, no judgment shall be vacated or modified or any petition dismissed at a term subsequent to that at which the judgment was rendered, nor the collection of the assessment be in any way stayed or delayed by the

council or board of trustees, or board of local improvements, or any officer of the municipality, without the consent of the contractor and bondholder. [As amended by act approved May 9, 1901.]

**Vacation of assessment—new assessment.]** Section 57. If any assessment shall be annulled by the city council or board of trustees, or set aside by any court, a new assessment may be made and returned, and like notice given and proceedings had as herein required in relation to the first; and all parties in interest shall have like rights, and the city council or board of trustees, and the court, shall perform like duties and have like power in relation to any subsequent assessment as are hereby given in relation to the first assessment.

**New assessment for completed work.]** Section 58. No special assessment shall be held void because levied for work already done under a prior ordinance; if it shall appear that such work was done in good faith, by the contract duly let and executed, pursuant to an ordinance providing that such improvement should be paid for by special assessment or special tax. This provision shall only apply when the prior ordinance shall be held insufficient for the purpose of such assessment, or otherwise defective, so that the collection of the assessment therein provided for becomes impossible. A new or special ordinance shall in such case be passed, providing for such assessment, and such ordinance need not be presented by the board of local improvements.

**Supplemental assessments—rebates.]** Section 59. If in any case the first assessment prove insufficient, a second may be made in the same manner, as nearly as may be, and so on until sufficient moneys shall have been realized to pay for such public improvement. It shall be no objection to such assessment that the prior assessment has been levied, adjudicated and collected, unless it shall appear that in such prior cause, upon proper issue made, it was specially found, in terms, that the property objected for would be benefited by said improvement no more than the amount assessed against it in such prior proceedings. If too large a sum shall at any time be raised, the excess shall be refunded ratably to those against whom the assessment was made.

Provided, however, the petitioner, in case it so elects, may dismiss the petition and vacate the judgment of confirmation, either at or after the term at which the judgment was rendered, and begin new proceedings for the same or a different improvement, as provided in section 56 as herein amended. [As amended by act approved May 9, 1901.]

**New assessment against delinquents.]** Section 60. If from any cause any city, village or town shall fail to collect the whole or any portion of any special assessment or special tax which may be levied, which shall not be cancelled or set aside by the order of any court,

for any public improvement authorized to be made and paid for by a special assessment, or special tax, the city council or board of trustees may, at any time within five years after the confirmation of the original assessment, direct a new assessment to be made upon the delinquent property for the amount of such deficiency and interest thereon from the date of such original assessment, which assessment shall be made, as nearly as may be, in the same manner as herein prescribed for the first assessment. In all cases where partial payments shall have been made on such former assessments, they shall be credited or allowed on the new assessment to the property for which they were made, so that the assessment shall be equal and impartial in its results. If such new assessment prove insufficient, either in whole or in part, the city council or board of trustees may, at any time within said period of five years, order a third to be levied, and so on in the same manner and for the same purpose; and it shall constitute no legal objection to such assessment that the property may have changed hands, or been encumbered, subsequent to the date of the original assessment.

**Certifying roll.]** Section 61. Within thirty days after the filing of the report of the amount and date of the first voucher issued on account of work done, as provided in section forty-two of this act, as herein amended, the clerk of the court in which such judgment is rendered, shall certify the assessment roll and judgment, to the officer of such city, village or town authorized to collect such special assessment; or, if there has been an appeal or writ of error taken on any part of such judgment, then he shall certify such part of the judgment as is not included in such appeal or writ of error, and such certification shall be filed by the officer receiving the same in his office. With such assessment roll and judgment, the clerk of such court shall also issue a warrant for the collection of such assessment. The court shall have power to recall such warrants as to all or any of the property affected at any time before payment or sale, in case the proceedings be abandoned by the petitioner or the judgment be vacated or modified in a material respect as hereinbefore provided, but not otherwise, and in case said assessment roll has been abated, and the judgment reduced in accordance with the provisions of section eighty-four of this act, the clerk of said court shall, within thirty days thereafter, certify the said order of reduction or the said roll as so reduced or re-cast, under the directions of the court, to said officer so authorized to collect such special assessment, and shall issue a warrant for the collection of such assessment as so reduced or re-cast. [As amended by act approved May 14, 1903.]

**Warrant to collector.]** Section 62. Should an appeal or writ of error be taken on any part of such judgment, and the board elect to proceed with the improvement, notwithstanding such an appeal, as

provided for in section seventy-five of this act, the clerk shall certify such appealed portion, from time to time, in the manner above mentioned, as the judgment is rendered thereon, and the warrant accompanying such certificate in each case shall be authority for the collection of so much of such assessment as shall be included in the portion of the roll thereto attached. The warrant in all cases of assessment, under this act, shall contain a copy of such certificate of the judgment describing lots, blocks, tracts and parcels of land assessed so far as they shall be contained in the portion of the roll so certified, and the respective amount assessed on each lot, block, tract or parcel of land, and shall be delivered to the officer authorized to collect such special assessment. The collector having a warrant for any assessment levied to be paid by installments may receive any or all of the installments of such assessment, but if in part only, then in their order. [As amended by act approved May 9, 1901.]

**Collector's notice.]** Section 63. The collector receiving such warrant shall immediately give notice thereof by publishing a notice in one or more newspapers in such city, town or village, if such newspaper is there; and if there is no such newspaper, then by posting four copies thereof in public places along the line of the proposed improvement; such notice may be substantially in the following form:

#### SPECIAL ASSESSMENT NOTICE.

Special Warrant, No. ....

Notice: Public notice is hereby given that the (here insert title of court) has rendered judgment for a special assessment (or special tax) upon property benefited by the following improvement: (Here describe the character and location of the improvement in general terms), as will more fully appear from the certified copy of the judgment on file in my office; that the warrant for the collection of such assessment (or special tax) is in the hands of the undersigned. All persons interested are hereby notified to call and pay the amount assessed at the collector's office (here insert location of office), within 30 days from the date hereof.

Dated this ..... day of ....., A. D. 19....

.....  
Collector.

When such assessment or special tax is levied to be paid in installments, such notice shall, in addition to the foregoing, contain the amount of each installment, the rate of interest deferred installments bear, the date when payable.

**Collector's demand—penalty—entry of payment.]** Section 64. It shall be the duty of the collector into whose hands the warrant shall come, as far as practicable, to call upon all persons, resident within the neighborhood, whose names appear upon the assessment roll, or the occupants of the property assessed, and personally, or by written or printed notices left at his or her usual place of abode, inform them of such special assessment, and request payment of the same.

Any such collector omitting to do so shall be liable to a penalty of

ten dollars for every such omission, but the validity of the special assessment, or the right to apply for and obtain judgment thereon, shall not be affected by such omission. It shall be the duty of such collector to write the word "paid" opposite each tract or lot on which the assessment is paid, together with the name and postoffice address of the person making the payment, and the date of payment.

**Report of collector of delinquent list to general officer.]** Section 65. It shall be the duty of the collector on or before the first day of April in each year, to make a report in writing to the general officer of the county authorized or to be designated by the general revenue laws of this State to apply for judgment and sell lands for taxes due the county and State, of all the land, town lots, and real property on which he shall be unable to collect special assessments, or installments thereof matured and payable, or interest thereon, or interest due to the preceding January second on installments not yet matured on all warrants in his hands, with the amount of such delinquent special assessment or installments and interest together with his warrants; or, in case of an assessment levied to be paid by installments, with a brief description of the nature of the warrant or warrants received by him authorizing the collection thereof, which report shall be accompanied with the oath of the collector that the list is a correct return and report of the land, town lots and real property on which the special assessment (or special tax levied by the authority of the city of . . . . . or town or village of . . . . . as the case may be), or installments thereof, or interest, remaining due and unpaid; that he is unable to collect the same or any part thereof, and that he has given the notice required by law that such warrants have been received by him for collection. [As amended by act approved May 9, 1901.]

**Report to be evidence.]** Section 66. Said report, when so made, shall be *prima facie* evidence that all the forms and requirements of the law, in relation to the making of said return, have been complied with, and that the special assessments, or special taxes, or the matured installments thereof, and the interest thereon, and the interest accrued on installments not yet matured, mentioned in said report, are due and unpaid, and upon the application for judgment of sale upon such assessment or matured installments thereof, or the interest thereon, or the interest accrued on installments not yet matured, no defense or objection shall be made or heard which might have been interposed in the proceeding for the making of such assessment, or the application for the confirmation thereof, and no errors in the proceeding to confirm, not affecting the power of the court to entertain and consider the petition therefor, shall be deemed a defense to the application herein provided for.

When such application is made for judgment of sale on an installment only of an assessment payable by installments, all questions af-

fecting the jurisdiction of the court to enter the judgment of confirmation and the validity of the proceedings shall be raised and determined on the first of such applications. On application for judgment of sale on any subsequent installment, no defense, except as to the legality of the pending proceeding, the amount to be paid, or actual payment, shall be made or heard. And it shall be no defense to the application for judgment on any assessment or any installment thereof that the work done under any ordinance for an improvement does not conform to the requirements of such ordinance, if it shall appear that the said work has been accepted by or under the direction of the board of local improvements. And the voluntary payment by the owner or his agent, of any installment, of any assessment, levied on any lot, block, tract or parcel of land, shall be deemed and held in law to be an assent to the confirmation of the assessment roll, and to be held to release and waive any and all right of such owner to enter objections to the application for judgment of sale and order for sale. The judgment of sale on any installment shall include all interest accrued on said installment up to the date of said judgment of sale, and also the annual interest due as returned delinquent by the municipal collector on any installment or installments not matured; and all judgments of sale for a matured installment shall bear interest on the amount of the principal of said matured installment to the date of payment of sale. [As amended by act approved May 9, 1901.]

**Application for judgment—sale—revenue laws to govern.]** Section 67. When such general officer shall receive the report above provided for, he shall proceed to obtain judgment against said lots and parcels of land and property for said special assessments and said special taxes or installments thereof, and interest remaining due and unpaid, in the same manner as is or may be by law provided for obtaining judgment against lands for taxes due and unpaid the county or State; and shall in the same manner proceed to sell the same for the said special assessments, special taxes or installments thereof, and interest remaining due and unpaid. In obtaining such judgments and making such sale, the said officer shall be governed by the general revenue law of the State, except when otherwise provided herein. No application for judgment against lands for unpaid special taxes or special assessments shall be made at a time different from the annual application for judgment against lands upon which general taxes remain due and unpaid. The application for judgment upon delinquent special assessments or special taxes in each year shall include only such special assessments, special taxes or installments thereof, and interest as shall have been returned as delinquent to the county collector on or before the first day of April in the year in which said application is made: Provided, that such judgment of sale shall in-

clude interest on matured installments up to the date of such judgment, as herein provided. [As amended by act approved May 9, 1901.]

**Return of sale—redemption.]** Section 68. After making said sale, the list of lots, parcels of land and property sold thereat shall be returned to the office of the county clerk and redemption may be made as provided for by the general revenue law of this State.

**Sale where assessment paid—penalty.]** Section 69. If the collector shall receive any moneys for taxes or assessments, or installments thereof, and give a receipt therefor, for any land or parcel of land, and afterwards make a return that the said tax, assessment or installment thereof was unpaid, to the State officers authorized to sell land for taxes, or shall receive the said amount so payable after such return has been made, and the said property be sold for any tax, assessment, or installment thereof which has been so paid and receipted for by himself or his clerks, he and his bondsmen shall be liable to the holder of the certificate given to the purchaser at the said sale for double the amount of the face of the certificate, to be demanded in two years from the date of the sale, and recovered in any court having jurisdiction of the amount; and the city, village or town shall in no case be liable to the holder of such certificate.

**Paying over—compensation.]** Section 70. The collector or collectors, and the general officer aforesaid to whom the said warrants shall be returned, shall pay over to the city, village or town treasury to which it shall belong, all moneys collected by them, respectively, upon or by virtue of such warrant, or upon any sale for taxes, or otherwise, at such time or times and in such manner as shall be prescribed by ordinance, and shall be allowed such compensation for their services in the collection of such assessment as the ordinance of the city or village may provide, except when such compensation is fixed by a general law.

**General revenue laws apply.]** Section 71. The general revenue laws of this State, in reference to proceedings to recover judgment for delinquent taxes, the sale of property thereon, the execution of certificates of sale and deeds thereon, the force and effect of such sales and deeds, and all other laws in relation to the enforcement and collection of taxes, and redemption from tax sales, except as herein otherwise provided, shall be applicable to proceedings to collect such special assessments and special taxes.

**Municipality may buy in.]** Section 72. Any city, village or town interested in the collection of any tax or special assessment may, in default of other bidders, become a purchaser at any sale of property to enforce the collection of the same, and may, by ordinance, authorize and make it the duty of one or more municipal officers to attend such sales and bid thereat in behalf of the corporation.

**Contracts payable from assessments—claim limited to funds collected—account to be kept.]** Section 73. No person or persons or bodies corporate, taking any contracts from the city, village or town, and agreeing to be paid out of special assessments or special taxes, shall have any claim or lien upon the city, village or town in any event, except from the collection of special assessments or special taxes made or to be made for the work contracted for, but the municipality shall cause collections and payments to be made with all reasonable diligence. And in such case, if it shall appear that such assessment or tax cannot be levied nor collected, the municipality shall not, nevertheless, be in any way liable to such contractor or contractors in case of failure to collect the same, but shall, so far as it can legally do so, with all reasonable diligence, cause a valid assessment or assessments, special tax or taxes, to be levied and collected to defray the cost of said work until all contractors shall be fully paid, and any contractor shall be entitled to summary relief of mandamus or injunction to enforce the provisions hereof.

The city treasurer shall keep a separate account with each special assessment warrant number, and with the money received thereunder. [As amended by act approved May 9, 1901.]

**Letting contracts—approval.]** Section 74. All contracts for the making of any public improvement, to be paid wholly or in part by special assessment or special tax, and any work or other public improvements, when the expense thereof shall exceed five hundred dollars, shall be let to the lowest responsible bidder in the manner herein prescribed, such contracts to be approved by the president of the board of local improvements. In case of any work in which it is estimated that the work will not cost more than five hundred dollars, if after receiving bids it shall appear to said board of local improvements that said work can be performed better and cheaper by the city, town or village, or the authorities thereof, the authorities of the city, town or village shall perform said work and employ the necessary help therefor, and the cost of said work by said city, town or village, or the authorities thereof, shall in no case be more than the lowest bid received. [As amended by act approved May 14, 1903.]

**When steps to be taken to let contracts.]** Section 75. Within ninety days after the term of court at which judgment of confirmation of any special assessment or special tax, levied in pursuance of this act, has been entered, if there be no appeal perfected, or other stay of proceedings by a court having jurisdiction, or in case the judgment for the condemnation of any property for any such improvement, or the judgment of confirmation as to any property be appealed from, then, if the petitioner shall file in such cause a written election to proceed with the work, notwithstanding such appeal, or other stay, steps shall be taken to let the contract for such work in the manner



herein provided. If the judgment of condemnation or of confirmation of the special tax or special assessment levied for such work be appealed from, or stayed by a supersedeas or other order of a court having jurisdiction, and the petitioner file no such election, then the steps herein provided for the letting of the contract for such work shall be taken within fifteen days after the final determination of said appeal or writ of error, or the determination of such stay, unless the proceeding be abandoned as herein provided. [As amended by act approved May 9, 1901.]

**Notice for letting contracts—bids.]** Section 76. Notice shall be given by advertisement in some newspaper, adopted for that purpose, by the board of local improvements by an order entered in their records, that bids will be received for the construction of such improvement, either as a whole or in such sections as the board shall specify in its notice, in accordance with the ordinance therefor; which notice shall state the time of opening such bids (not more than fifteen nor less than ten days thereafter), and shall further state where the specifications for such improvements are to be found, and whether the contractors are to be paid in cash or in bonds, and if in bonds, then the rate of interest such vouchers or bonds shall draw. If no newspaper be published in said municipality, then four such notices shall be posted, all of which shall be in the vicinity of the proposed improvement. Proposals or bids may be made either for such work as a whole or for such specified sections thereof. All proposals or bids offered shall be accompanied by cash or by a check payable to the order of the president of the board of local improvements in his official capacity, certified by a responsible bank, for an amount which shall not be less than ten per centum of the aggregate of the proposal. Said proposals or bids shall be delivered to the board of local improvements, and said board shall, in open session, at the time and place fixed in said notice, examine and publicly declare the same: Provided, however, that no proposals nor bids shall be considered unless accompanied by such check or cash. [As amended by act approved May 9, 1901.]

**Accepting bid—contract.]** Section 77. Said board of local improvements may reject any and all proposals or bids, should they deem it best for the public good; and if they shall be of the opinion that a combination exists between contractors, either to limit the number of bidders or to increase the contract price, and that the lowest bid is made in pursuance thereof, it shall be their duty to do so; and said board may reject the bid of any party who has been delinquent or unfaithful in any former contract with the municipality, and shall reject all proposals or bids other than the lowest regular proposal or bid of any responsible bidder, and may award the contract for said work or improvement to the lowest responsible bidder

at the prices named in his bid, which award shall be recorded in the record of its proceedings. Such award, if any, shall be made within twenty days after the time fixed for receiving bids. If no award be made within said time, another advertisement for proposals or bids for the performance of the work, as in the first instance, shall be made, and thereafter [the board shall] proceed in the manner above in this act provided; and such re-advertisement shall be deemed a rejection of all former bids, and thereupon the respective checks and bonds corresponding to the bids so rejected shall be returned to the proper parties, but the checks accompanying such accepted proposals or bids shall be retained in the possession of the president of the said board until the contract for doing said work, as hereinafter provided, has been entered into, either by said lowest responsible bidder or by the owners of a majority of the frontage, whereupon said certified check shall be returned to said bidder. But if the said bidder fails, neglects or refuses to enter into a contract to perform said work or improvement as herein provided, then the certified check accompanying his bid, and the amount therein mentioned, shall be declared to be forfeited to said city, village or town, and shall be collected by it and paid into its fund for the repairing and maintenance of like improvements; and any bonds forfeited may be prosecuted, and the amount due thereon collected and paid into the said fund.

**Person interested entitled to hearing.]** Section 78. Any owner or person interested in any of the property assessed and any bidder shall be entitled to a hearing before said board on any question connected with any such award.

**Notice of awarding contract.]** Section 79. Notice of such award of contract shall be published for two days in a daily newspaper published and circulated in said city, village or town, designated by the said board of local improvements, by general order for that purpose, duly entered in its records. Or where there is no daily newspaper in said city or village, by one insertion of the same in a semi-weekly or weekly newspaper so published and circulated, and so designated: Provided, however, that in case there is no newspaper printed or published in such city, village, or town, then four notices of such award shall be posted, all of which shall be in the vicinity of the proposed improvement. [As amended by act approved May 9, 1901.]

**Owners of a majority of frontage may take contract.]** Section 80. The owners of a majority of the frontage of the lots and lands upon the street wherein said work is to be done, or their agents, who shall take oath that they are such owners or agents, shall not be required to present sealed proposals or bids, but may, within ten days after the first posting and publication of said notice of said award, elect to take said work, and enter into a written contract to do the

whole work at ten per centum less than the price at which the same has been awarded. Should the said owners fail to elect to take said work, and to enter into a written contract therefor within ten days, or to commence the work within thirty days after the first posting and publication of said award, and to prosecute the same with diligence, it shall be the duty of the board of local improvements to enter into a contract with the original bidder to whom the contract was awarded, and at the prices specified in his bid.

**Rejecting bids in case of default.]** Section 81. If such original bidder fails or refuses for fifteen days after the first posting or publication of the notice of award, or in case a contract be made with the owners, and default by them, then, within ten days after notice that such owners are in default, to enter into a contract, then said board of local improvements, without further proceedings, shall again advertise for proposals or bids, as in the first instance, and award the contract for said work to the then regular lowest bidder. The bids of all persons, and the election of all owners as aforesaid, who have failed to enter into the contract as herein provided, shall be rejected in any bidding or election subsequent to the first for the same work. [As amended by act approved May 9, 1901.]

**Completing unfinished work—contractor's bonds—payment of expenses.]** Section 82. If the owners or contractors, who may have taken any contract, shall not complete the same within the time mentioned in the contract, or within such further time as the board of local improvements may give them, the said board may re-let the unfinished portions of the said work, after pursuing the formalities prescribed hereinbefore for the letting of the whole in the first instance. All contractors, contracting owners included, shall, at the time of executing any contract for such public work, execute a bond to the satisfaction and approval of the board of local improvements of said city, village or town, in such sum as the said board shall deem adequate, conditioned for the faithful performance of the contract; and the sureties shall justify, before some person competent to administer an oath, in double the amount mentioned in said bond, over and above all statutory exemptions.

**Appointment of attorneys, engineers, clerks, inspectors, etc.—execution and acceptance of work—recourse on municipality.]** Section 83. The board of local improvements in cities of one hundred thousand inhabitants and over, according to the last census as hereinbefore provided, may appoint an attorney for the board who shall have charge, under its direction and control, of all legal matters pertaining to the board of local improvements, the confirmation of special assessments and the collection of the same. It may also appoint an engineer for the board, and such assistant attorneys, engineers, clerks, inspectors, etc., as may be necessary to carry into effect the purposes of this act.

The board is hereby authorized to make or cause to be made, the written contracts, and receive all bonds authorized by this act, and to do any other act, expressed or implied, that pertains to the execution of the work provided for by such ordinance or ordinances, and shall fix the time for the commencement of the work thereunder and for the completion of the work under all contracts entered into by it, which work shall be prosecuted with diligence thereafter to completion and said board may extend the time so fixed from time to time, as they may think best for the public good. The work to be done pursuant to such contracts must, in all cases, be done under the direction and to the satisfaction of the board of local improvements, and all contracts made therefor must contain a provision to that effect, and also express notice that in no case, except as otherwise provided in the ordinance, or the judgment of the court, will said board or municipality, except as herein otherwise provided, or any officer thereof, be liable for any portion of the expenses, nor for any delinquency of persons or property assessed.

The acceptance by the said board of any improvement shall be conclusive in the proceeding to make said assessment, and in all proceedings to collect the same or installments thereof, on all persons and property assessed therefor, that the work has been performed substantially according to the requirements of the ordinance therefor, but if any property owner be injured by any failure so to construct such improvement, or suffer any pecuniary loss thereby, he may recover the amount of such injury in an action on the case against the municipality making said improvement: Provided, however, that such action be commenced within one year from the date of the acceptance of the work by the board of local improvements. [As amended by act approved May 9, 1901.]

**Crediting excess upon assessments—report to court.]** Section 84. Within thirty days after the final completion and acceptance of the work, as hereinbefore provided, the board of local improvements shall cause the cost thereof to be certified in writing to the court in which said assessment was confirmed, together with an amount estimated by the board to be required to pay the accruing interests on bonds or vouchers issued to anticipate collection, and thereupon, if the total amount assessed for said improvement upon the public and private property exceeds the costs of the same, all of said excess, excepting the amount required to pay such interest as herein provided for, shall be abated and the judgment reduced proportionately to the public and private property owners, and shall be credited *pro rata* upon the respective assessments for said improvements under direction of the court, and, in case the assessment is collectible in installments, such reduction shall [*shall*] be made so that all installments shall be equal in amount, except that all fractional amounts shall be

added to the first installment so as to leave the remaining installments in the aggregate equal in amount and each a multiple of one hundred dollars. If, prior to the entry of the order abating and reducing said assessment, the same shall have been certified for collection pursuant to the provisions of section sixty-one of this act as herein amended, and any of the installments of such assessments so certified for collection have become due and payable, the reduction and abatement above referred to, shall be made *pro rata* upon the other installments; the intent and meaning hereof being that no property owner shall be required to pay to the collector a greater amount than his proportionate share of the cost of said work and of the interest that may accrue thereon. In every assessment proceeding in which the assessment shall be divided into installments, it shall also be the duty of the board of local improvements to state in said certificate whether or not the said improvement conforms substantially to the requirements of the original ordinance for the construction of the improvement, and to make an application to said court to consider and determine whether or not the facts stated in said certificate are true; and thereupon the court shall, upon such application, fix a time and place for a hearing upon the said petition, and shall enter the same of record, such time to be not less than fifteen days after the filing of such certificate and application. Public notice shall be given of the time and place fixed for such hearing by posting and publishing in a newspaper, in the same manner and for the same period as provided in this act for publishing notice of application for the confirmation of the original assessment, the posting and publication of such notice to be not less than fifteen days before the day fixed by such order for such hearing. At the time and place fixed by such notice, or at any time thereafter, the court shall proceed to hear said application and any objections which may be filed thereto within the time fixed in such order, and upon such hearing the said certificate of the board of local improvements shall be *prima facie* evidence that the matters and things therein stated are true, but if any part thereof are controverted by objections duly filed upon such petition, the court shall hear and determine the same in a summary manner, and shall enter an order according to the fact. Such order of the court shall be conclusive upon all the parties and no appeal therefrom, or writ of error thereto, shall be allowed to review or reverse the same. If, upon such hearing, the court shall find against the allegations of the said certificate, it shall enter an order accordingly, but it shall then be the duty of the said board of local improvements to procure the completion of the said improvement in substantial accordance with the said ordinance, and said board may, from time to time, file additional or supplemental applications or petitions in respect thereto, until the court shall be eventually satisfied that the allegations of such certificates

or petitions are true, and that said improvement is constructed in substantial accordance with the said ordinance. If, before the entry of such order upon such certificate, there shall have been issued to the contractor in the progress of any such work, any bonds to apply upon the contract price thereof, said contractor or the then owner or holder of such bonds, shall be entitled to receive in lieu thereof new bonds of equivalent amount, dated and issued after the entry of such order. [As amended by act approved May 14, 1903.]

**Inspection of work.]** Section 85. The said board of local improvements shall cause the entire work done pursuant to any such proceeding and contract, and the materials therefor, to be carefully inspected during the progress of the work, to the end that the contractor or contractors shall comply fully and adequately with all the provisions of the said ordinance, and of the contract under which said work is to be done, and the specifications therefor; and upon the complaint of any property owner that the work or materials do not comply with such requirements, the president of the said board of local improvements shall either examine the said work and materials himself, or designate some member of said board to do so, who shall make personal examination, and certify in writing as to the result thereof, which written certificate shall be filed with the papers pertaining to the said board, and be open to public inspection at any time.

**Bonds to anticipate installments of assessment.]** Section 86. For the purpose of anticipating the collection of the second and succeeding installments, provided for in this act, it shall be lawful for such city, village or town, to issue bonds, payable out of said installments, bearing interest at the rate of five per centum per annum, payable annually and signed by such officers as may be by ordinance prescribed; said bonds shall be issued in sums of one hundred dollars, or some multiple thereof, and shall be dated and draw interest from the date of the issuing of the same. Each bond shall state on its face out of which installment it is payable, and shall state, by number or other designation, the assessment to which such installment belongs. The principal of such bond shall not exceed, in the aggregate, the amount of such deferred installments, and shall be divided into as many series as there are deferred installments: Provided, nothing herein contained shall be construed to prevent the payment of any voucher or bond out of an installment having a surplus to its credit, other than the one against which the same is issued. The intent and meaning thereof being that in case from any cause the installment against which such bond or voucher is drawn has not sufficient money to the credit thereof to pay the same, the entire amount of the assessment or any installment thereof may be applied toward the payment of any such vouchers or bonds issued against the assessment. Each series shall become due at some time in the year in which the corresponding

installment will mature, such date to conform, as nearly as may be, to the time when such installment will be actually collected, such time to be estimated and determined by the municipal officers issuing such bonds. Provided, also, that it shall be lawful to provide in the case of any one or more of the bonds in any series, that such bond or bonds shall not become due until some subsequent date, not later than the thirty-first day of December next succeeding the January in which the installment against which such series is issued shall become due and payable. Such bonds may be in the following form:

STATE OF ILLINOIS, }  
County of..... }  
ss.

\$.....

Series No.....  
Bond No.....

..... of .....  
IMPROVEMENT BOND.

"The ..... of ..... in ..... county, Illinois, for value received, promises to pay to the bearer on the ..... day of ..... A. D. ...., the sum of ..... dollars, with interest thereon from date hereof, at the rate of five per centum, payable annually on presentation of the coupons hereto annexed.

"Both principal and interest of this bond are payable at the office of the treasurer of said ..... of .....

"This bond is issued to anticipate the collection of a part of the ..... installment of special assessment No. .... levied for the purpose of ..... which said installment bears interest from the ..... day of ..... A. D. .... and this bond and the interest thereon are payable solely out of said installments when collected.

"Dated this ..... day of ....., A. D. ...."

Which said bond may have coupons attached to represent the interest to accrue thereon. [As amended by act approved May 9, 1901.]

**Bonds to be issued at par and accrued interest.]** Section 87. Said bonds may be sold or paid to the contractor having the contract for the improvement for which the assessment was levied, at not less than their par value and interest accrued to time of delivery, whether sold or paid to the contractor.

**Payment by bonds—how costs paid.]** Section 88. Payment for any improvement done or performed under the provisions of this act, to be paid for out of any special assessment or special tax levied in installments, as herein provided, may be made in the bonds herein provided for; and the first installment thereof shall be paid to the person or persons entitled thereto on the contract for said work: Provided, however, that in cities, towns and villages having a population of less than one hundred thousand, where the ordinance for the improvement provides for the collection of costs, such costs shall be first paid out of said first installment. If such first installment is not collected when payments fall due, vouchers therefor may be issued, payable out of the first installment when collected. Such vouchers shall

bear no interest and shall be paid from said installment when collected. [As amended by act approved May 9, 1901.]

**Payment of assessment in bonds.]** Section 89. Any property owner may pay his assessment, wholly or in part with the bonds or vouchers issued under this act on account of such assessment, applying however, the bonds and vouchers of each series only to the payment of the installments to which they relate. In making such payments, such vouchers and bonds shall be taken at their par value and interest accrued to the date of making such payment. All vouchers and bonds received in payment of such assessment shall be canceled by the officer receiving the same, as of the date of their receipt, and deposited with the treasurer of the said town or village issuing the same.

**No claims except against the assessment.]** Section 90. No person or persons accepting the vouchers or bonds as provided herein shall have any claim or lien upon the city, town or village in any event for the payment of such vouchers or bonds or the interest thereon, except from the collections of the assessment against which said vouchers or bonds are issued, but the municipality shall not nevertheless, be in any way liable to the holders of said vouchers or bonds in case of failure to collect the same, but shall, with all reasonable diligence, so far as it can legally do so, cause a valid special assessment or assessments, special tax or taxes, as the case may be, to be levied and collected, to pay said bonds and vouchers, until all bonds and vouchers shall be fully paid. Any holder of vouchers or bonds, or their assigns, shall be entitled to summary relief by way of mandamus or injunction to enforce the provisions hereof. [As amended by act approved May 9, 1901.]

**Payments as work progresses.]** Section 91. From time to time, as the work under any contract for such improvement progresses, upon certificates by the said board of local improvements, or by some officer designated by such board for that purpose, payments may be made either in money, vouchers or bonds, as herein provided, to apply upon said contract price, reserving, however, a sufficient amount upon each of said payments to properly secure, in the judgment of said board, the faithful performance of the said contract, said reserve to be paid over at such time and on such conditions as the board shall fix, after the said work has been completed or accepted.

**Interest on bonds—how to be paid.]** Section 92. The board of local improvements, before the crediting of the excess as provided for in section eighty-four, as herein amended, shall determine an estimated amount deemed as sufficient to make up any probable deficiency of interest by which from any cause, collections of interest may prove insufficient to meet the interest to be paid on said bonds until they mature as hereinbefore provided. Said estimate shall be deducted out of said installments as an item of expense before crediting rebates of



excess as herein directed and shall be used for no other purpose than to make up such deficiency until the bonds are fully paid, both principal and interest. [As amended by act approved May 9, 1901.]

**Rebates declared and paid.]** Section 93. If, upon final settlement with the contractor for any improvement and full payment of all vouchers or bonds, issued on account of such contract, there shall be any surplus remaining in such special assessment or special tax above the payments aforesaid, and above the amount necessary for the payment of interest on such vouchers or bonds as above provided, it shall be the duty of the proper authorities of such city, incorporated town or village to at once cause a rebate to be declared upon each lot, block, tract or parcel of land assessed of its *pro rata* proportion of such surplus. The board of local improvements shall cause to be kept and exhibited publicly in its office, an index of all warrants upon which rebates are due and payable, and upon proper proofs, the same shall be repaid to the person entitled thereto. [As amended by act approved May 9, 1901.]

**Expenses, costs, etc., how to be paid.]** Section 94. The cost and expenses of maintaining the board of local improvements herein authorized, of paying the salaries of the members of said board, and the expense of making and levying special assessments or special taxes and of letting and executing contracts; and also the entire cost and expense attending the making and return of the assessment rolls and the necessary estimates, examinations, advertisements, etc., etc., connected with the proceedings herein provided for, including the court costs, including the fees to commissioners in condemnation proceedings, which are to be taxed as above provided, shall be paid by the city, village or town out of its general fund

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[As amended by act approved May 9, 1901.]

**Appeals.]** Section 95. Appeals from final judgments or orders of any court made in the proceedings provided for by this act, may be taken to the Supreme Court of this State, in the manner provided by law, by any of the owners or parties interested in lands taken, damaged or assessed therein, and the court may allow such an appeal to be taken jointly, and upon a joint bond, or severally, and upon several bonds, as may be specified in the order allowing the same.

**Writs of error.]** Section 96. Writs of error from the Supreme Court of this State may issue upon any such judgment on the application of owners or parties interested in the property affected thereby, as shown by the record, at any time after the disposition of the last remaining objections to the confirmation, if any, and prior to the first day of June following the entry of such judgment: Provided, that if the warrant for collection as to any parcel be not returned delinquent in any year before April first, a writ of error as to such parcel

may be sued out at any time before June first in the year in which the same is so returned or certified: And, provided, further, that in every case there shall be filed with the clerk of the Supreme Court, with the application for such writ, an affidavit by the plaintiff in error or his agent setting forth the time when such warrant, as to such property, was returned delinquent or so certified; and further setting forth that the person to whom such notice of the filing of assessment roll as to such property, as shown by the record, did not receive the same, or otherwise learn of the pendency of the proceedings for the confirmation of said assessment until less than ten days before the entry of default against his said property in the court below. [As amended by act approved May 9, 1901.]

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**Repeal of conflicting acts—pending cases—reservations.]** Section 99. All acts, and parts of acts, in conflict with this act, are hereby repealed.

Provided, that the laws subsisting at the time of the taking effect of the local improvement act of June 14, 1897, shall continue to apply to all proceedings for the condemnation of lands, or the confirmation of special assessments or special taxes for local improvements, which were pending in any court in this State at the time of the taking effect of the local improvement act of June 14, 1897, and to all proceedings for the collection of any deficiency under past levies already made under any laws existing at the time of the taking effect of the local improvement act of June 14, 1897; and also to all proceedings for new assessments made in lieu of others annulled before the act concerning local improvements of June 14, 1897, took effect, by order of some court. When any installment of an assessment confirmed under prior acts shall mature, proceedings to return the same delinquent, and to collect the same shall conform to the provisions of this act.

Where proceedings for local improvements to be made by special tax or special assessment, shall have been instituted, when this act shall take effect, and where the assessment provided for therein has not been confirmed by any court, all future proceedings thereunder shall be as herein provided, with the same effect as if such proceedings had been commenced in accordance with the provisions herein provided: Provided, that nothing in this act shall be construed to repeal an act entitled, "An act to provide additional means for the construction of sidewalks in cities, towns and villages," approved April 15, 1875.

Provided also, that nothing in this act contained shall be held or construed to be a repeal of any of the laws of the State of Illinois, relating to civil service, and that nothing in this act contained shall be held or construed to be a repeal or modification of any of the rules

of the civil service commission of the city of Chicago adopted pursuant to the civil service laws of the State of Illinois. [As amended by act approved May 9, 1901.]

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## OFFICERS.

**AN ACT to prevent fraudulent and corrupt practices in the making or accepting of official appointments and contracts by public officers.** [Approved April 9, 1872.]

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**Aldermen of cities—trustees of villages.]** Section 2. That it shall be and is hereby declared unlawful for any alderman of any city, or member of the board of trustees of any village of this State, during the term of office for which he is elected, to accept or be appointed to or hold any office, by the appointment of the mayor or president of the board of trustees thereof; and any and all such election or appointment shall be absolutely null and void.

**Not to be interested in contracts—not to act as attorney to procure—bribery.]** Section 3. It shall not be lawful for any person, now or hereafter holding any office, either by election or appointment, under the constitution of this State, to become in any manner interested, either directly or indirectly, in his own name or in the name of any other person or corporation, in any contract, or the performance of any work in the making or letting of which such officer may be called upon to act or vote. And it shall not be lawful for any such officer to represent, either as agent or otherwise, any person, company or corporation, in respect of any application or bid for any contract or work in regard to which such officer may be called upon to vote. Nor shall any such officer take or receive, or offer to take or receive, either directly or indirectly, any money or other thing of value, as a gift or bribe, or a means of influencing his vote or action in his official character; and any and all contracts made and procured in violation hereof, shall be null and void.

**Penalty.]** Section 4. Any alderman, member of a board of trustees, supervisor or county commissioner, or person now or hereafter holding any office, either by election or appointment under the constitution of this State, or any law now or hereafter in force in this State, who shall violate any of the provisions of the preceding sections, shall be deemed guilty of a misdemeanor, and on conviction thereof may be punished by confinement in the penitentiary for a term not less than one year nor more than five years, or fined in a sum not less than two hundred dollars nor more than one thousand dollars, or both, in the discretion of the court before which such conviction shall be

had; and in addition thereto, any office or official position held by any person or persons so convicted shall, by the fact of such conviction, become vacant, and shall be so declared as part of the judgment of court; and the person or persons so convicted shall be disqualified from holding any office or position of trust and confidence in this state for the period of two years from and after the date of such conviction.

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## ORDINANCES.

### PUNISHMENT OF PERSONS VIOLATING ORDINANCES.

**AN ACT** to provide for the punishment of persons violating any of the ordinances of the several cities and villages in this state. [Approved April 12, 1879.]

**Arrest—imprisonment—work-house.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That in all actions for the violation of any ordinance of any city or village organized under any general or special law of this State, the first process shall be a summons: Provided, however, that a warrant for the arrest of the offender may issue in the first instance, upon the affidavit of any person that any such ordinance has been violated, and that the person making the complaint has reasonable grounds to believe the party charged is guilty thereof; and any person arrested upon such warrant, shall, without unnecessary delay, be taken before the proper officer, to be tried for the alleged offense. Any person upon whom any fine or penalty shall be imposed may, upon the order of the court or magistrate before whom the conviction is had, be committed to the county jail or the calaboose, city prison, work-house, house of correction, or other place provided by such cities or villages by ordinance for the incarceration of such offenders until such fine, penalty, and cost shall be fully paid: Provided, that no such imprisonment shall exceed six months for any one offense. The city council or board of trustees of any such cities or villages shall have power to provide by ordinance that every person so committed shall be required to work at such labor as his or her strength will permit, within and without such prison, work-house, house of correction or other place provided for the incarceration of such offenders, not to exceed ten hours each working day; and for such work the person so employed, or worked, shall be allowed, exclusive of his or her board, the sum of fifty cents for each day's work on account of such fine and costs.

**Repeal.]** Section 2. All acts and parts of acts inconsistent with the foregoing section are hereby repealed.

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## SUITS—HOW BROUGHT.

AN ACT entitled "An act in regard to suits by incorporated cities and villages, and to enforce penalties and recover fines for violating the ordinances thereof." [Approved May 31, 1879.]

**Suits—how brought, etc.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all actions to recover any fine, or to enforce any penalty, under any ordinance of any city or village in this state, shall be brought in the corporate name of the city or village, as plaintiff, and no prosecution, recovery or acquittal for the violation of any such ordinance shall constitute a defense to any other prosecution of the same party, for any other violation of any such ordinance, although the different causes of action existed at the same time, and, if united would not have exceeded the jurisdiction of the court or magistrate.

## PROOF OF ORDINANCES AND RECORDS.

AN ACT in regard to evidence and depositions in civil cases. [Approved March 29, 1872.]

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**Records, etc., of cities, etc.—how certified.]** Section 14. The papers, entries, records and ordinances, or parts thereof, of any city, village, town or county, may be proved by a copy thereof, certified under the hand of the clerk or the keeper thereof, and the corporate seal, if there be any; if not, under his hand and private seal.

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**Form of certificate.]** Section 16. The certificate of any such clerk of a court, city, village, town, county, or secretary, clerk, cashier, or other keeper of any such papers, entries, records or ordinances, shall contain a statement that such person is the keeper of the same, and if there is no seal, shall so state.

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**Sworn copies.]** Section 18. Any such papers, entries, records and ordinances may be proved by copies examined and sworn to by credible witnesses.

**Penalty.]** Section 19. If any such officer, clerk, secretary, cashier, justice of the peace, or other person authorized to certify copies of any papers, entries, records or ordinances, shall knowingly make a false certificate, he shall be punishable in the same manner as if he were guilty of perjury.

## PLUMBERS.

## LICENSING OF PLUMBERS.

**AN ACT to provide for the licensing of plumbers and to supervise and inspect plumbing. [Approved June 10, 1897.]**

**Person working as plumber to receive certificate.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That any person now or hereafter engaging in or working at the business of plumbing in cities or towns of five thousand inhabitants or more in this State, either as a master plumber or employing plumber or as a journeyman plumber, shall first receive a certificate thereof, in accordance with the provisions of this act.

**Board to examine plumber's certificate.]** Section 2. Any person desiring to engage in or work at the business of plumbing, either as a master plumber or employing plumber, or as a journeyman plumber, shall make application to a board of examiners hereinafter provided for, and shall, at such time and place as said board may designate, be compelled to pass such examination as to his qualifications as said board may direct; said examination may be made in whole or in part in writing, and shall be of a practical and elementary character but sufficiently strict, to test the qualifications of the applicant.

**Board to be appointed by the mayor.]** Section 3. That there shall be in every city, town or village of ten thousand inhabitants or more, a board of examiners of plumbers, consisting of three members, one of which shall be the chairman of the board of health, who shall be *ex officio* chairman of said board of examiners, a second member, who shall be a master plumber, and a third member, who shall be a journeyman plumber. Said second and third members shall be appointed by the mayor and approved by the [city] council or by the board of trustees of said town or village, within three months after the passage of this act, for the term of one year from the first day of May, in the year of appointment, and thereafter annually before the first day of May, and shall be paid from the treasury of said city, town or village, the same as other officers, in such sums as the authorities may designate.

**Meeting of board of examiners—scope of examination—certificate of qualification—fee for.]** Section 4. Said board of examiners shall, as soon as may be, after the appointment, meet and shall then designate the times and places for the examination of all applicants desiring to engage in, or work at, the business of plumbing, within their respective jurisdiction. Said board shall examine said applicants as to their practical knowledge of plumbing, house drainage and plumbing ventilation; and, if satisfied of the competency of such applicants, shall thereupon issue a certificate to such applicant, au-

thorizing him to engage in, or work at, the business of plumbing, whether as master plumber, or employing plumber, or as a journeyman plumber.

The fee for a certificate for a master plumber, or employing plumber, shall be five dollars; for a journeyman plumber it shall be one dollar. Said certificate shall be valid and have force throughout the State, and all fees received for said certificates shall be paid into the treasury of the city, town or village where said certificates are issued.

Cities, etc., to prescribe rules and regulations for the material, constructions, alterations and inspection of all plumbing and sewerage, etc.] Section 5. Each city, town or village in this State having a system of water supply or sewerage, shall, by ordinance or by-law, within three months of the passage of this act, prescribe rules and regulations for the materials, constructions, alteration and inspection of all plumbing and sewerage placed in, or in connection with, any building in such city, town or village; and the board of health, or proper authorities, shall further provide that no plumbing work shall be done, except in case of repairing leaks, without a permit being first issued therefor, upon such terms and conditions as such city, town or village shall prescribe.

Who required to take examination and procure certificates.] Section 6. All persons who are required by this act to take examinations and procure a certificate as required by this act shall apply to the board in the city where he resides or to the board nearest his place of residence.

Penalty for violating act.] Section 7. Any person violating any provision of this act shall be deemed guilty of a misdemeanor, and be subject to a fine of not less than five dollars nor exceeding fifty dollars for each and every violation therefor, and his certificate may be revoked by the board of health or proper authorities of said city, town or village.

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## PROPERTY—CONVEYANCE.

### TO AUTHORIZE CITIES AND VILLAGES TO CONVEY REAL OR PERSONAL ESTATE.

AN ACT to authorize cities and villages to convey any real or personal estate, or their right and title therein, when the same shall be no longer necessary for, or profitable to, or its longer retention be for the best interests of such city or village. [Approved March 22, 1889.]

City council or board of trustees may pass ordinance to sell real or personal estate no longer necessary.] Section 1. Be it enacted by

the People of the State of Illinois, represented in the General Assembly, That any city or village incorporated under any general or special law of this State, which shall have acquired or hold any real or personal estate for any purpose whatsoever, is hereby authorized and empowered by ordinance passed by three-fourths of the members of the city council of any such city, or of the board of trustees of any such village, at any regular or at any special meeting called for such purpose, to sell such property when the same shall, in the opinion of such majority of such city council or board of trustees, be no longer necessary, appropriate or required for the use of such city or village, or profitable to, or its longer retention be for the best interests of such city or village.

**What ordinance shall specify—notice of sale—opening of bids, etc.]**

Section 2. Such ordinance shall specify the location of such real or personal estate, and the use thereof, of whatever kind the same may be, and before any sale shall be made under or by virtue of any such ordinance, by the city council of any such city, or the board of trustees of any such village, such ordinance and proposal to sell shall be published in one of its daily or weekly papers for a period of not less than sixty days, and if no paper be published in such city or village, then it shall be published in some paper of general circulation in this State nearest to such city or village. Such notice shall contain an accurate description of such property, the purpose for which it is used and at what meeting the bids will be considered and opened, and shall advertise for sixty days for bids therefor. All such bids shall be opened only at a regular meeting of such city council or board of trustees, and shall be accepted only upon a vote of three-fourths of the members of such city council or board of trustees: Provided, however, that the city council or board of trustees may, by a majority vote, reject any and all bids.

**By whom and when conveyance to be made.]** Section 3. Upon any bid having been accepted, and the purchase price duly paid or secured, the mayor and city clerk, or the president of the board of trustees and the clerk of such board, shall have the power to convey such real or personal estate and transfer the same to such party or parties whose bids have been accepted, by proper deed or deeds of conveyance, stating therein the price therefor, with the seal of the corporation.

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## REFERENDUM.

### SUBMISSION OF QUESTIONS OF PUBLIC POLICY.

**AN ACT** providing for an expression of opinion by electors on questions of public policy at any general or special election. [Approved May 11, 1901.]

**Petition to submit question of public policy at election—duty of election officers.]** Section 1. Be it enacted by the people of the State



of Illinois, represented in the general assembly: That on a written petition signed by twenty-five per cent of the registered voters of any incorporated town, village, city, township, county or school district; or ten per cent of the registered votes [voters] of the State, it shall be the duty of the proper election officers in each case to submit any question of public policy so petitioned for, to the electors of the incorporated town, village, city, township, county, school district or State, as the case may be, at any general or special election named in the petition: Provided, such petition is filed with the proper election officers in each case not less than sixty days before the date of the election at which the question or questions petitioned for are to be submitted. Not more than three propositions shall be submitted at the same election and [each] such proposition shall be submitted in the order of its filing.

**Question to be printed on separate ballot—form.]** Section 2. Every question submitted to electors shall be printed in plain, prominent type upon a separate ballot in form required by law, the same as a constitutional amendment or other public measure proposed to be voted upon by the people.

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## SCHOOLS.

AN ACT to establish and maintain a system of free schools. [Approved May 21, 1889.]

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## ARTICLE VI.

### BOARD OF EDUCATION.

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**Board in cities of one hundred thousand inhabitants—election and terms of members.]** Section 17. In cities having a population exceeding one hundred thousand inhabitants from and after this act shall take effect, the board of education shall consist of twenty-one members, to be appointed by the mayor, by and with the advice and consent of the common council, seven of whom shall be appointed for the term of one year, seven for the term of two years, and seven for the term of three years: Provided, however, that in such cities wherein there is now a board of education, holding their office by appointment, such officers shall continue in office until the time at which their terms would have expired under the law in force at the time of their appointment. At the expiration of the term of any

members of said board, their successors shall be appointed in like manner and shall hold their office for the term of three years. Any vacancy which may occur shall be filled by the appointment of the mayor, with the approval of the common council for the unexpired term: And, provided further, that from and after this act shall take effect there shall be appointed by the mayor, by and with the advice and consent of the common council, six members, two of whom shall be appointed for the term of one year, two for the term of two years, and two for the term of three years. [As amended by act approved June 22, 1891.]

**Who eligible to membership.]** Section 18. Any person having resided in any such city more than five years next preceding his appointment, shall be eligible to membership of such board of education.

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**Power of board with concurrence of city council.]** Section 21. The said board of education shall have charge and control of the public schools in such cities, and shall have power with the concurrence of the city council:

First—To erect or purchase buildings suitable for school houses and keep the same in repair.

Second—To buy or lease sites for school houses with the necessary grounds. If said board of education shall be unable to agree with the owner or owners for the purchase of such site, then, with the concurrence of the city council, it may acquire the title to said site in the manner that may be now or hereafter provided for by any law of eminent domain. Such proceedings to condemn shall be in the name of said city in trust for the use of the schools.

Third—To issue bonds for the purpose of building, furnishing and repairing school houses, for purchasing sites for the same, and to provide for the payment of said bonds, to borrow money for school purposes upon the credit of the city. [As amended by act approved April 22, 1899.]

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## SALARIES OF CITY OFFICERS.

**AN ACT** to enable the corporate authorities of cities to establish and fix the salaries of city officers. [Approved April 23, 1873.]

**When to be fixed—not changed during term.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, It shall and may be lawful for the common council or legislative authority of any city in this state to establish and fix the amount of salary to be paid any and all city officers, as the case may be, except members of such legislative body, in the annual appropriation bill or ordinance made for the purpose of providing for the an-

nual expenses of any such city, or by some ordinance prior to the passage of such annual appropriation bill or ordinance; and the salaries or compensation thus fixed or established, shall neither be increased nor diminished by the said common council or legislative authority of any such city, after the passage of said annual appropriation bill or ordinance, during the year for which such appropriation is made, and no extra compensation shall ever be allowed to any such officer or employe over and above that provided in manner aforesaid.

\* \* \* \* \*

## SOLDIERS AND SAILORS.

### PEDDLER'S LICENSE TO EX-UNION SOLDIERS AND SAILORS.

AN ACT permitting all ex-Union soldiers and sailors, honorably discharged from the military or marine service of the United States, the right to vend, hawk and peddle goods, wares, fruits or merchandise not prohibited by law in any county town, village, incorporated city or municipality in the State of Illinois. [Approved May 11, 1901.]

#### Ex-Union soldier or sailor may peddle goods, etc., without license.]

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That on and after the passage of this act all ex-Union soldiers and sailors, honorably discharged from the military or marine service of the United States, shall be permitted to vend, hawk and peddle goods, wares, fruits or merchandise not prohibited by law, in any county, town, village, incorporated city or municipality within this State without a license: Provided, said soldier or sailor is engaged in the vending, hawking and peddling of said goods, wares, fruits or merchandise for himself only.

Clerk to issue license free upon presentation, etc.—penalty for violation of act.] Section 2. Upon the presentation of his certificate of discharge to the clerk of any county, town, village, incorporated city or municipality in this State, and showing proofs of his identity as the person named in his certificate of honorable discharge, the clerk shall issue to said ex-Union soldier or sailor a license, but such license shall be free, and said clerk shall not collect or demand for the county, town, village, incorporated city or municipality any fee therefor. Any clerk of any county, town, village, incorporated city or municipality in this State who shall violate any of the foregoing provisions of this act, by failing or refusing to comply with such provisions, as herein directed, shall be fined in a sum not less than ten dollars nor more than fifty dollars, to which may be added imprisonment in the county jail not exceeding ten days.

## STEAM BOILER EXPLOSIONS.

**AN ACT** to insure the better protection of life and property from steam boiler explosions. [Approved June 3, 1889.]

**Persons in charge of steam boilers—license—penalty.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the city council in cities, and the president and board of trustees in towns and villages, shall have power to adopt ordinances within their respective limits, to provide for the examination, licensing and regulation of persons having charge of steam boilers under steam pressure, exhausting through an engine, to fix the amount, terms and manner of issuing and revoking licenses to such persons; to provide that it shall not be lawful for any person to exercise, within the limits of the respective cities, towns and villages which may adopt such ordinances, the business of operating steam boilers, under steam pressure, exhausting through an engine, without a license; and to provide that any person violating the provisions of such ordinances shall be liable to a penalty for each breach thereof.

**Board to examine—license, etc.]** Section 2. To require that all persons engaged in such occupation within the jurisdiction of such towns, cities and villages, so adopting such ordinances, shall submit to an examination by a competent board of examiners to be appointed by such councils and boards of trustees, touching their competency and qualifications in regard to such vocations, with power to such board of examiners to license such persons as may be found capable and trustworthy in that behalf.

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## STREETS.

### USE OF STREETS BY ELEVATED RAILROADS.

**AN ACT** in regard to the use of streets and alleys in incorporated cities and villages by elevated railroads and elevated ways and conveyors. [Approved June 18, 1883.]

**Petition of land-owners.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That no person or persons, corporation or corporations, shall construct or maintain any elevated railroad or any elevated way or conveyor to be operated by steam power, or animal power or any other motive power, along any street or alley in any incorporated city or village, except by the permission of the city council or board of trustees of such city or village, granted upon a petition of the owners of the lands representing more than one-half of the frontage of the street or alley, or of so much thereof as is sought to be used for such elevated railroad or

elevated way or conveyor; and the city council, or board of trustees, shall have no power to grant permission to use any street or alley, or part thereof, for any of the purposes aforesaid, except upon such petition of land-owners as is herein provided for.

**When street more than one mile.]** Section 2. When the street or alley, or part thereof, sought to be used for any of the purposes aforesaid, shall be more than one mile in extent, no petition of land owners shall be valid for the purposes of this act, unless the same shall be signed by the owners of the land representing more than one-half of the frontage of each mile and fractional part of a mile, of such street or alley or of the part thereof sought to be used for any of the purposes aforesaid.

#### VACATION OF STREETS.

AN ACT to revise the law in relation to the vacation of streets and alleys. [Approved March 24, 1874.]

**Three-fourths vote required—damages.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That no city council of any city, or board of trustees of any village or town, whether incorporated by special act or under any general law, shall have power to vacate or close any street or alley, or any portion of the same, except upon a three-fourths majority of all the aldermen of the city or trustees of the village or town authorized by law to be elected; such vote to be taken by ayes and noes, and entered on the records of the council or board. And when property is damaged by the vacation or closing of any street or alley, the same shall be ascertained and paid as provided by law.

**Rights of adjoining owners.]** Section 2. When any street, alley, lane or highway, or any part thereof, has been or shall be vacated under or by virtue of any act of this State or by order of the city council of any city or trustees of any village or town, or by the commissioners of highways, county board, or other authority authorized to vacate the same, the lot or tract of land immediately adjoining on either side shall extend to the central line of such street, alley, lane or highway or part thereof so vacated, unless otherwise specially provided in the act, ordinance or order vacating the same, unless, in consequence of more of the land for such street, alley, lane or highway having been contributed from the land on one side thereof than the other, such division is inequitable, in which case the street, alley, lane or highway so vacated shall be divided according to the equities of the adjoining owners.

## STREET RAILROADS.

AN ACT entitled "An act in regard to street railroads," and to repeal certain acts herein referred to. [Approved March 7, 1899.]

**Eminent domain.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That any company which has been or shall be incorporated under the general laws of this State, for the purpose of constructing, maintaining or operating any horse, dummy or street railroad or tramway, may enter upon and appropriate any property necessary for the construction, maintenance and operation of its road, and all necessary siding, side tracks and appurtenances and may, subject to the provisions contained in this act, locate and construct its road upon and over any street, alley, road or highway, or across or over any waters in this State, in such manner as not to unnecessarily obstruct the public use of such street, alley, road or highway, or interrupt the navigation of such waters: Provided, every such street railway may be operated by animal, cable, electric or any other motive power that may have been or shall hereafter be granted to it by the proper public officers or authorities, except steam locomotive engines.

**Compensation for property taken or damaged.]** Section 2. When it is necessary for the construction, maintenance or operation of such road, or the necessary sidings, side tracks or appurtenances, to take or damage private property, the same may be done, and the compensation therefor may be ascertained and made in the manner which may be then provided by law for the exercise of the right of eminent domain.

**Location of road—consent—notice—damages.]** Section 3. No such company shall have the right to locate or construct its road upon or along any street or alley, or over any public ground in any incorporated city, town or village, without the consent of the corporate authorities of such city, town or village nor upon or along any road or highway, or upon any public ground without any incorporated city, town or village, except upon the consent of the county board. Such consent may be granted for any period, not longer than twenty years, on the petition of the company, upon such terms and conditions, not inconsistent with the provisions of this act, as such corporate authorities or county board, as the case may be, shall deem for the best interests of the public: Provided, no such consent shall be granted unless at least ten days' public notice of the time and place of presenting such petition shall have first been given by publication in some newspaper published in the city or county where such road is to be constructed, and except upon the condition that the company will pay all damages to owners of property abutting upon the street, alley, road, highway or public ground upon or over which such road is to

be constructed, which they may sustain by reason of the location or construction of the road; the same to be ascertained and paid in the manner provided by law for the exercise of the right of eminent domain.

**Control of streets reserved—police power.]** Section 4. Every grant to any such company of a right to use any street, alley, road, highway or public ground shall be subject to the right of the proper authorities to control the use, improvement and repair of such street, alley, road, highway or public ground, to the same extent as if no such grant had been made, and to make all necessary police regulations concerning the management and operation of such railroad, whether such right is reserved in the grant or not.

\* \* \* \* \*

#### MUNICIPAL OWNERSHIP OF STREET RAILWAYS.

**AN ACT** entitled "An act to authorize cities to acquire, construct, own, operate and lease street railways, and to provide the means therefor." [Approved May 18, 1903.]

**Cities may own, operate and lease street railways—operation by city contingent upon vote of electors—term of lease—purchase money—how provided.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That every city of this State shall have the power to own, construct, acquire, purchase, maintain and operate street railways within its corporate limits, and to lease the same or any part of the same to any company incorporated under the laws of this State, for the purpose of operating street railways for any period not longer than twenty years, on such terms and conditions as the city council shall deem for the best interests of the public.

But no city shall proceed to operate street railways, unless the proposition to operate shall first have been submitted to the electors of such city as a separate proposition, and approved by three-fifths of those voting thereon. It shall be lawful for any such city to incorporate in any grant of the right to construct or operate street railways, a reservation of the right on the part of such city to take over all or part of such street railways, at or before the expiration of such grant, upon such terms and conditions as may be provided in the grant; it shall also be lawful to provide in any such grant, that in case such reserved right be not exercised by the city, and it shall grant a right to another company to operate a street railway in the streets and parts of streets occupied by its grantee under the former grant, the new grantee shall purchase and take over the street railway of the former grantee, upon the terms that the city might have taken it over, and it shall be lawful for the city council of any city, to make a grant containing such a reservation, for either the construction or operation

or both the construction and operation of a street railway in, upon and along any of the streets or public ways therein, or portions thereof, in which street railway tracks are already located at the time of the making of such grant, without the petition or consent of any of the owners of the land abutting or fronting upon any street of [or] public way, or portion thereof, covered by such grant.

No ordinance authorizing a lease for a longer period than five years, nor any ordinance renewing any lease, shall go into effect until the expiration of sixty days from and after its passage. And if, within such sixty days, there is filed with the city clerk of such city a petition signed by ten per cent of the voters voting at the last preceding election for mayor, in such city, asking that such ordinance be submitted to a popular vote, then such ordinance shall not go into effect, unless the question of the adoption of such ordinance shall first be submitted to the electors of such city, and approved by a majority of those voting thereon.

The signatures to such petition need not all be appended to one paper, but each signer shall add to his signature, which shall be in his own handwriting, his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths, that each signature to the paper appended, is the genuine signature of the person whose name purports to be thereto subscribed. The city council of any city that shall decide by popular vote, as in this act provided, to operate street railways, shall have the power to make all needful rules and regulations respecting the operation of the same, including the power to fix and prescribe rates and charges, but such rates and charges shall be high enough to produce a revenue sufficient to bear all costs of maintenance and operation, and to meet interest charges on all bonds or certificates issued on account of such railways, and to permit the accumulation of a surplus or sinking fund, that shall be sufficient to meet all such outstanding bonds or certificates at maturity. Street railways owned and operated by any such city, or owned by the city and leased for operating purposes to a private company, may carry passengers and their ordinary baggage, parcels, packages and United States mail, and may be utilized for such other purposes as the city council of such city may deem proper. Such street railways may be operated by such motive power as the city council may approve, except steam locomotives. For the purpose of acquiring street railways either by purchase or construction, as provided for in this act, or for the equipment of any such street railways, any city may borrow money, and issue its negotiable bonds therefor, pledging the faith and credit of the city; but no such bonds shall be issued, unless the proposition to issue the same shall first have been submitted to the electors of such city, and approved by two-thirds of those voting thereon, nor



in an amount in excess of the cost to the city of the property for which said bonds are issued ascertained as elsewhere provided in this act, and ten per cent of such cost in addition thereto. In the exercise of the powers, or any of them, granted by this act, any such city shall have the power to acquire, take and hold any and all necessary property, real, personal or mixed for the purposes specified in this act, either by purchase or condemnation in the manner provided by law for the taking and condemning of private property for public use, but in no valuation of street railway property for the purpose of any such acquisition, except of street railways now operated under existing franchises, shall any sum be included as the value of any earning power of such property, or of the unexpired portion of any franchise granted by said city. In case of the leasing by any city of any street railway owned by it, the rental reserved shall be based on both the actual value of the tangible property, and of the franchise contained in such lease, and such rental shall not be less than a sufficient sum to meet the annual interest upon all outstanding bonds or street railway certificates, issued by said city on account of such street railway.

**Street railway certificates—sundry provisions concerning.]** Section 2. In lieu of issuing bonds pledging the faith and credit of the city, as provided for in section one of this act, any city may issue and dispose of interest bearing certificates, to be known as "street railway certificates," which shall, under no circumstances, be or become an obligation or liability of the city or payable out of any general fund thereof, but shall be payable solely out of a specified portion of the revenues or income to be derived from the street railway property, for the acquisition of which they were issued. Such certificates shall not be issued and secured on any street railway property in amount in excess of the cost to the city of such property as hereinbefore provided and ten per cent of such cost in addition thereto. In order to secure the payment of any such street railway certificates and the interest thereon, the city may convey, by way of mortgage or deed of trust, any or all of the street railway property acquired or to be acquired through the issue thereof: which mortgage or deed of trust shall be executed in such manner as may be directed by the city council, and acknowledged and recorded in the manner provided by law for the acknowledgment and recording of mortgages of real estate, and may contain such provisions and conditions not in conflict with the provisions of this act, as may be deemed necessary to fully secure the payment of the street railway certificates described therein. Any such mortgage or deed of trust may carry the grant of a privilege or right to maintain and operate the street railway property covered thereby, for a period not exceeding twenty years from and after the date such property may come into the possession of any person or corporation as the result of foreclosure proceedings; which privilege or right may fix

the rates of fare which the person or corporation securing the same as the result of foreclosure proceedings shall be entitled to charge in the operation of said property, for a period not exceeding twenty years. Whenever, and as often as default shall be made in the payment of any street railway certificates issued and secured by a mortgage or deed of trust, as aforesaid, or in the payment of the interest thereon when due, and any such default shall have continued for the space of twelve months, after notice thereof has been given to the mayor and financial officer of the city issuing such certificates, it shall be lawful for any such mortgagee or trustee, upon the request of the holder or holders of a majority in amount of the certificates issued and outstanding under such mortgage or deed of trust, to declare the whole of the principal of all such certificates as may be outstanding, to be at once due and payable, and to proceed to foreclose such mortgage or deed of trust in any court of competent jurisdiction. At a foreclosure sale, the mortgagee or the holders of such certificates may become the purchaser or purchasers of the property, and the rights and privileges sold, if he or they be the highest bidders. Any street railways acquired under any such foreclosure, shall be subject to regulation by the corporate authorities of the city to the same extent as if the right to construct, maintain and operate such property had been acquired through a direct grant, without the intervention of foreclosure proceedings: Provided, however, that no street railway certificates or mortgage shall ever be issued by any city under the provisions of this act, unless and until the question of the adoption of the ordinance of the city council, making provision for the issue thereof, shall first have been submitted to a popular vote, and approved by a majority of the qualified voters of the city voting upon such question.

**Accounts, how kept—publication of reports.]** Section 3. Every such city owning, or owning and operating street railways, shall keep the books of account for such street railways distinct from other city accounts, and in such manner as to show the true and complete financial results of such city ownership, or ownership and operation, as the case may be. Such accounts shall be so kept as to show the actual cost to such city of street railways owned; all costs of maintenance, extension and improvement; all operating expenses of every description, in case of such city operation; the amounts set aside for sinking fund purposes; if water or other service shall be furnished for the use of such street railways without charge, the accounts shall show, as nearly as possible, the value of such service, and also the value of such similar service rendered by the street railways to any other city department without charge; such accounts shall also show reasonable allowances for interest, depreciation and insurance, and also estimates of the amount of taxes that would be chargeable against such property, if owned by a private corporation. The city council shall cause to

be printed annually for public distribution, a report showing the financial results, in form as aforesaid, of such city ownership, or ownership and operation. The accounts of such street railways, kept as aforesaid, shall be examined at least once a year by an expert accountant, who shall report to the city council the results of his examination. Such expert accountant shall be selected in such manner as the city council may direct, and he shall receive for his services such compensation, to be paid out of the income or revenues from such street railways, as the city council may prescribe.

**Act not in force in any city until adopted by vote of electors.]** Section 4. This act shall not be in force in any city, until the question of its adoption in such city shall first have been submitted to the electors of such city, and approved by a majority of those voting thereon. The city council of any such city may, by ordinance, direct that the question of the adoption of this act in such city be submitted to popular vote at any general, city or special election in and for the entire city, coming not sooner than thirty days from and after the passage of the ordinance. If the city council in any city shall incorporate in any grant to a private company of the right to construct or operate street railways, a provision reserving to such city the right to take over such street railways at or before the expiration of the grant, in case the people of such city shall later adopt this act as herein provided, such provision shall be as valid and effective for all purposes, in case such city shall later adopt this act as herein provided, as if the said provision were made a part of such grant, after the adoption of this act by such city.

**Ordinance preliminary to vote upon any proposition submitted to electors—duty of city clerk—submission.]** Section 5. In all cases provided in this act for the submission of questions or propositions to popular vote, the city council shall pass an ordinance stating the substance of the proposition or question to be voted upon, and designating the election at which such question or proposition is to be submitted, which may be any general city, or special election in and for the entire city coming not sooner than thirty days from and after the passage of said ordinance. The city clerk of such city shall promptly certify the passage of such ordinance to the proper election officials, and it shall thereupon be the duty of such election officials to submit such question or proposition to popular vote.

**Construction of act.]** Section 6. Nothing in this act contained shall be construed to authorize any city to make any street railway grant, or to lease any street railway property, for a period exceeding twenty years from the making of such grant or lease: Provided, that when a right to maintain and operate a street railway, for a period not exceeding twenty years, is contained in a mortgage or deed of trust to secure street railway certificates (and no such right shall be

implied), such period shall commence as provided in section two of this act.

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## TENEMENT AND LODGING HOUSES.

AN ACT for the regulation and inspection of tenement and lodging houses, or other places of habitation. [Approved May 30, 1881.]

**Architect—plans.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That it shall be the duty of any architect or architects, builder or builders of, or other person or persons interested in any projected tenement, lodging house, or other places of habitation, in any incorporated city of fifty thousand inhabitants, to submit plans and specifications of any such building or buildings to the health commissioner or commissioners of such incorporated city; that the said health commissioner or commissioners may examine the said plans and specifications, for his or their approval or rejection, as to the proposed plans for the ventilation of rooms, light and air shafts, windows, ventilation of water closets, drainage and plumbing.

**Duty of plumber.]** Section 2. It shall be the duty of any plumber or other person or persons interested in the contract for the plumbing work of such building or buildings, to receive a written certificate of instruction from the health commissioner or commissioners before commencing work on the said building or buildings, and to proceed according to the plans, specifications and instructions, as approved by the health commissioner or commissioners of said city.

**Health commissioner—notice.]** Section 3. It shall be the duty of any plumber or other person or persons interested in the plumbing work, after the completion of said plumbing work, and before any of the said plumbing work is covered up in any building or buildings, or on the premises connected with said building or buildings, to notify in writing the health commissioner or commissioners, that said building or buildings, or other premises, are now ready for inspection, and it shall be unlawful for any plumber or other person or persons to cover up, or in any way conceal such plumbing work in or about such building or buildings, until the health commissioner or commissioners approve of the same.

**Architect—penalty.]** Section 4. If any architect or architects, builder or builders, violate the provisions of this act, he or they shall be fined in a sum not less than one hundred nor more than two hundred dollars for each offense.

**Penalty—plumber.]** Section 5. If any plumber or other person or persons interested in the plumbing work, violate any of the pro-

visions of this act, he or they shall be fined in the sum not less than one hundred nor more than two hundred dollars for the first offense, and the further penalty of ten dollars for each and every day such plumbers or other interested person or persons shall, after first conviction, neglect or refuse to comply with any provisions of this act, or the written instructions of the health commissioner or commissioners, and for the second offense, a like penalty and a forfeiture of his or their license to do business in said city for one year after conviction.

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## TOWNSHIP CONSOLIDATION.

### TOWNSHIPS WHOLLY WITHIN CITIES.

AN ACT concerning townships lying wholly within cities of more than fifty thousand population. [Approved May 11, 1901.]

**Powers vested in such townships to be exercised by city council.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That in all townships lying wholly within any city of more than fifty thousand population, all the powers vested in such townships shall be exercised by the city council of such city, including all the powers vested in the town meetings and the boards of auditors of such townships.

**Officers of such township.]** Section 2. The city clerk of such city shall be *ex officio* town clerk and township assessor of each of such townships, and the treasurer of the county in which such city lies shall be *ex officio* collector and supervisor of each of such townships; but such officers shall not be required to give any additional bond on account of holding such township offices, but they shall be liable on their official bonds for their acts as township officers in the same manner and to the same extent as if such bonds had been given as such township officers.

**Office of highway commissioners abolished.]** Section 3. The offices of highway commissioners are hereby abolished in such townships.

**This act applies to new or additional townships.]** Section 4. Whenever, subsequently to the taking effect of this act, by the annexation of new territory or otherwise, any new or additional township comes to be wholly within the boundaries of any city to which this act applies, all the provisions of this act shall at once apply to such township.

**City clerks and county treasurers who become ex officio township officers not to maintain other offices, etc.]** Section 5. City clerks and county treasurers who become *ex officio* township officers under the

provisions of this act, shall not maintain any other or different public offices as such township officers, than those provided and maintained for them as such city clerk and county treasurer.

#### WATER RATES.

**AN ACT to enable cities, towns and villages incorporated under any general or special law of this State to fix the rates and charges for the supply of water furnished by any individual company or corporation to any such city, town or village and the inhabitants thereof. [Approved June 6, 1891.]**

**May fix rates for water supply.]** Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the corporate authorities of any city, town, or village, now or hereafter incorporated under any general or special law of this State, in which any individual, company or corporation has been, or hereafter may be, authorized by such city, town, or village to supply water to such city, town, or village and the inhabitants thereof, be and are hereby empowered to prescribe by ordinance maximum rates and charges for the supply of water furnished by such individual, company or corporation to such city, town or village and the inhabitants thereof, such rates and charges to be just and reasonable. And in case the corporate authorities of any such city, town or village shall fix unjust and unreasonable rates and charges, the same may be reviewed and determined by the circuit court of the county in which such city, town or village may be.

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